

MINUTES/ FOLLOW UP ACTIONS – Economic Development Advisory Committee Meeting

Date	11 November 2013	Time	2pm – 4pm	Location	Meeting Room (Alexandra)	File number	58/04/02
Attendance	Cr Christine Challen (Chair), Cr Margaret Rae, Margaret Abbey, Bob Elkington, Lisa Wallace (Minute Secretary), Zoe Stephens			Apologies	Cr Andrew Derwent, Matt Parsons		
Meeting Objective	Seek input and keep the advisory committee informed of key economic development initiatives						
Item No	Description	Action					Who
1.	Welcome	<p>Welcome to all, apologies.</p> <p>Minutes of Previous Meeting</p> <p>Minutes for 28 August 2013, Moved – Margaret Abbey, Seconded – Bob Elkington, Passed.</p>					Christine Challen
2.	Agriculture Industry Transformation project – Climate Smart Agricultural Development	<p>Zoe Stephens provided a re-cap on Rob Faggian’s presentation from the last meeting on the ‘Agriculture in Changing Climate’ work being conducted out of the University of Melbourne.</p> <p>This project has been implemented with 6 LGA’s and industry partners in the Gippsland region. Based on this model, Rob Faggian engaged with the Hume Regional Development Committee and the Goulburn Broken Greenhouse Alliance (GBGA) to gain interest in rolling out something similar. GBGA worked with 6 Councils to develop a funding proposal under the <i>Victorian Adaptation and Sustainability Partnership</i>.</p> <p>Based on the Gippsland Project, it is expected the following outcomes can be achieved:</p> <ul style="list-style-type: none"> • Agricultural commodity modeling per region projected to 2070 • 8-12 commodities can be selected per Council area. Uses climate, soil type and topography. Incorporates historical climate trends, with computer simulated projected trends, plus overlaid with farmer observations about what has happened year to year • Analyse impacts on industry into future, looking into detail of impacts on agribusinesses and then how this affects rural communities as a whole • This analysis helps local/state governments understand what strategic and policy decisions need to be made in terms of long term planning and zoning • Assists farmers and business groups understand what investments need to happen; e.g. in the Gippsland region they are at the point now where landowners or groups of landowners are applying for grants with the Department of Business and Industry worth up to \$50k for on-farm business innovation <p>Further information is available at http://www.gbga.org.au/ and http://www.dse.vic.gov.au/conservation-and-environment/sustainability/victorian-adaptation-and-sustainability-partnership</p> <p>Zoe will keep the committee informed of any progress.</p>					Zoe Stephens

<p>3.</p>	<p>GRVT - Annual report - Other</p>	<p>Update provided by Margaret Abbey: CEO's from Greater Shepparton City Council, Strathbogie Shire Council, Mitchell Shire Council and Murrindindi Shire Council met GRVT's Executive Officer, Wendy Jones who provided the history and present status on GRVT. Margaret added that GRVT was well worth investing in and the Annual report is a testament to this. Also discussed broadly was the future of GRVT and the aim for GRVT to be separate piece in Tourism Victoria's 'jigsaw puzzle'. Unfortunately, no funding is available for a new 'piece of the jigsaw' at this time. In addition, the sliding scale used to calculate each Council's contribution of funds to GRVT was discussed, however, not resolved.</p> <p>Update provided by Christine Challen:</p> <ul style="list-style-type: none"> • The current structure of GRVT's Independent Chair was discussed at the last Board meeting • The Independent Chair vacancy has been advertised widely • The financial status is sustainable in its current model • The GRVT Annual Report has been distributed to all Councillors • There has been a slight decrease in day trippers and an increase in overnight visitors in Murrindindi • Lastly, we have had a fantastic uptake of Murrindindi representatives for our Visitor Information Centre Volunteer Familiarisation tour, Summit and leadership programs over the year. 	<p>Christine Challen/ Margaret Abbey</p>
<p>4.</p>	<p>Growing the Rate Base</p>	<p>Draft plan (Council Plan Item: Our Economy – Investment attraction) was provided to all present and discussed. All feedback on the plan to be provided by email to Bob Elkington who will bring a final version to the next meeting. Part of the investment prospectus project funding will enable targeted sales of opportunities.</p>	<p>Bob Elkington</p>
<p>5.</p>	<p>Business Prospectus</p>	<p>Approximate funding of \$160k remaining from existing project. Original steering committee was made up completely of Marysville and surrounds representatives; need to identify a representative from the Kinglake Ranges to add to the Alexandra and Yea representatives. Could ask Murrindindi Inc or Kinglake Ranges Business Network to identify potential representative. Project Manager will be Sally Macdonald.</p>	<p>Bob Elkington</p>
<p>6.</p>	<p>Toolangi Zipline</p>	<p>Council have spoken with DEPI who have investigated 5-6 new sites in the Toolangi area. All of these areas are now being assessed by DEPI scientists. Once the assessments are completed, the next step is to re-engage with the proponent. Bob Elkington will keep the committee informed of any progress.</p>	<p>Bob Elkington</p>

<p>7.</p>	<p>Other items: Investment attraction</p> <ul style="list-style-type: none"> 1. United Petroleum Kinglake 2. Marysville Hotel and Conference Centre 3. Marysville Micro Brewery 	<p>Project updates (if time permits)</p> <ul style="list-style-type: none"> 1. Plans were endorsed on 3/10/13; two phases. Have all 10 being built at once (commercial space), second fuel section. 2. Construction at the Vibe is growing rapidly with many local tradespersons involved and is ahead of schedule. 3. Planning permit approved and currently looking for investors. 	<p>Bob Elkington/ Matt Parsons</p>
<p>8.</p>	<p>Next Meeting:</p>	<p>9 December 2013, 2pm-4pm</p>	
	<p>Meeting closed:</p>	<p>3.25pm</p>	

MINUTES- Murrindindi Environment Advisory Committee				File: 58/03/16		
Date	8 October 2013	Time	1:30pm	Location	Main Meeting Room, Alexandra	
Attendance:		Judy Watts, David Wakefield, Ann Jelinek, Rita Seethaler, John Coyne, Roger Cook, Steve Meacher, Michael Chesworth, Nigel Waterhouse Cr. John Kennedy, Mark Leitinger, Sue McNair.		Apologies: Cr. Cris Ruhr, Robert Chaffe, Zoe Stephens		
Item	Description of Issue			Actions	Who	When
1.	Minutes of Meeting held: 13 August 2013			Accept minutes- Seconded -	Roger Cook Judy Watts	
2.	<u>Welcome and Update From General Manager:</u> Michael provided an overview of the changes to the Executive structure of the Council. Michael is now the GM Corporate and Community Services. Mark Leitinger Manager Infrastructure Operations will take Michael's place on the MEAC. Zoe Stephens now reports to Mark.					
3.	<u>Roadside Weed and Pest Animal Program:</u> Sue outlined the Program indicating that 602kms of road earmarked for spraying of regionally controlled weeds on limited budget of \$35K. John C advised that Snake Wattle site found in Taggerty on Vicroads roadside.			John to liaise with Sue on site location and Sue to follow up with Vicroads		Immediate
4.	<u>Native Vegetation Removal/Management for Bushfire Risk:</u> Sue outlined communications campaign for fire season concerning native vegetation clearance. Some concerns were expressed relating to need for simpler language, pictures showing misleading cues (not sure if picture shows what should or should not be done), method of distribution to ensure message gets out.			Sue to distribute brochures to be distributed to Committee members for comment. Sue / Zoe to test communications on non-Council employees prior to public release to check ease of comprehension		Immediate. Prior to release.
4.	<u>Native Vegetation Permitted Clearance Regulations:</u> Sue and Nigel outlined the new regulations. Points noted include: <ul style="list-style-type: none"> 'Net gain' is still part of government's policy for government to address, however the responsibility on the private "clearer" is no net loss. Based on impacts on the State's biodiversity (not local significance) Old system didn't work because offsets were seldom 			Judy suggested that Landcare could hold workshop in conjunction with Council and DEPI to advise community on new approach – Sue to follow up and investigate.		

	<p>achieved/implemented. New system allows for permits for small areas without previous regulation / hoops and more emphasis on offsets</p> <ul style="list-style-type: none"> Concerns are that mapping is not accurate, increase resource requirements for Councils to provide assistance, incremental local impacts overtime. 		
5.	<p>Member Updates</p> <ul style="list-style-type: none"> Rita concerned about possible Rave Concert in Taggerty on impacts on community and local environment – planning permit currently before Council. Anne concerned about rubbish being dumped at the community garbage compound at Cathedral Lane. Cr Kennedy advised about efforts by the community to protect an established red gum at the Yea Springs subdivision and that Council had considered a petition. David advised that the King Parrot Blackberry group had started up again and he mentioned the release of bird calls CD and publication concerning local birds. Judi advised that Landcare is working with the 3 Council along the rail trail to investigate ways that Landcare can assist in maintenance. Judi also spoke about the Kids teaching Kids about environmental projects at the Yea Wetlands. Roger advised that the landcare spray unit was available for hire again in Kinglake. Steve advised that “Walter” (Roundleaf Pomederris) had died which had been damaged by Council works a couple of years ago. Leadbeater Advisory Group meetings are being held in area, people can make submissions on website. <p>MOTION : That it be recommended that Council:</p> <ol style="list-style-type: none"> Supports in principle the concept of an expanded Central Ranges National Park, and Supports in principle new prescriptions for logging to conserve Leadbeaters Possum released by the Australian National University. <p>Moved D Wakefield / A Jelinek - Carried</p>	<p>Motion to be put to Council at the November 2013 Ordinary Meeting as part of its consideration of the meeting Minutes – Zoe Stephens / Michael Chesworth</p>	<p>November Ordinary Council Meeting</p>
	Next Meeting: 10 December 2013 1.30pm – 3.30pm, Yea		
	The meeting closed at: 3.40pm		

Application No.:

MURRINDINDI SHIRE COUNCIL		Date Lodged:
RECEIVED		DIST. LIST
25 JUL 2013		
File No.:		

Application for Planning Permit

If you need help to complete this form, read *How to Complete the Application for Planning Permit form*.

⚠ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.

Questions marked with an asterisk (*) are mandatory and must be completed.

Planning Enquiries
Phone: (03) 5772 0333
Web: <http://www.murrindindi.vic.gov.au>

The Land

① Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.: 1390	St. Name: Myers Creek Road
Suburb/Locality: Toolangi		Postcode: 3777

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title.

A Lodged Plan Title Plan Plan of Subdivision

OR

B

The Proposal

⚠ You must give full details of your proposal and attach the information required to assess the application. If you do not give enough detail or an adequate description of the proposal you will be asked for more information. This may delay your application.

② For what use, development or other matter do you require a permit? *

If you need help about the proposal, read:
How to Complete the Application for Planning Permit Form

Helicopter Landing Site
<input checked="" type="checkbox"/> Provide additional information providing details of the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

③ Estimated cost of development for which the permit is required *

Cost \$ <input type="text" value="0"/>	⚠ You may be required to verify this estimate.
Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)	

Existing Conditions

④ Describe how the land is used and developed now *

eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Toolangi Tavern
<input checked="" type="checkbox"/> Provide a plan of the existing conditions. Photos are also helpful.

Title Information

5 Encumbrances on title *

If you need help about the title, read:
How to Complete the Application for Planning Permit Form

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes. (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive covenants.)

Applicant and Owner Details

6 Provide details of the applicant and the owner of the land.

Applicant *

The person or organisation who wants the permit.

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Please provide at least one contact phone number *

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:

Title: First Name: Surname:

Organisation (if applicable): C/O-Millar Merrigan P/L

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name: As below

Suburb/Locality: State: Postcode:

Contact person's details *

Same as applicant (if so, go to 'contact information')

Name:

Title: First Name: Surname:

Organisation (if applicable): Millar Merrigan P/L

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name: DX13608 or PO Box 247

Suburb/Locality: Croydon State: VIC Postcode: 3777

Contact information

Business Phone: 87209534 Email:

Mobile Phone: Fax:

Name: Same as applicant

Title: First Name: Surname:

Organisation (if applicable): C/O-Millar Merrigan P/L

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name: As above

Suburb/Locality: State: Postcode:

Owner's Signature (Optional): Date:

day / month / year

Declaration

7 This form must be signed by the applicant *

⚠ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature: Date: 24. 7. 13

day / month / year

Millar | Merrigan

Land Development Consultants

In reply quote: 16327/3.1 me:bb
Document id: 130724 MM helicopter to Council

24 July 2013

Murrindindi Shire Council
DX71402
ALEXANDRA



Attention: Planning Department

Dear Sir/Madam

**Re: 1390 Myers Creek road, Toolangi
Proposed helicopter landing site**

On behalf of our clients **J & M Marshall**, we hereby submit this application for a helicopter landing site at the subject address.

Enclosed and forming part of this application are the following:

- Completed application for planning permit form and cheque for the associated fee of \$102;
- Certificate of Title;
- Site & Location Plan (16327P3) 3 x A3 copies.

The land is home to the established and well renowned Toolangi Tavern. Over the years a number of helicopters have landed on the site with occupants enjoying a meal or drink at the venue as part of their flight package. Whilst there have been some private helicopters, the majority are chartered and fly in from Moorabbin Airport.

The applicant is seeking permission for a maximum frequency of 16 flight movements per week, which equates to 8 landings and 8 take offs. To enable flexibility the proposed hours of operation are 10am -7pm, 7 days a week.

There are no works or tree removal required as part of the application given the landing sites location with a cleared grassed area.

The purpose of Clause 52.15 – Heliport and Helicopter Landing Site is:

To ensure the amenity impacts of a helicopter landing site on surrounding areas is considered

Pursuant to this clause a permit is required to:

Use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

The enclosed Site & Location Plan shows the proposed location of the helicopter landing site in relation to surrounding features. As demonstrated there are no sensitive uses located within 500m except for residential dwellings. The helicopter landing site is located at least 150m from all surrounding dwellings in accordance with the requirement for helicopters with an all up weight of less than 2 tonnes and as such an acoustic report is not required. The landing pad will not be utilised by large craft weighing in excess of 2 tonne. It is submitted that given the location of the landing site, the minimal flight movements proposed, and the proposed hours of operation, there will be no adverse amenity impacts to neighbouring properties as a result of the use of the landing site.

Access to the landing site is readily available across the paddock from the car park at the rear of the Tavern.

We trust that the submitted information is acceptable, however please don't hesitate to contact me if you require any further information.

Yours faithfully
Millar | Merrigan



MANDY EDWARDS

t 03 8720 9534

e medwards@millarmerrigan.com.au

Enc.



Site Plan
Scale 1:3000



Location plan
Scale 1:45000

SITE & LOCATION PLAN
HELICOPTER LANDING SITE
1390 Myers Creek Road, Toolang
Murrumbidgee Shire Council

North

1:1000
Original sheet size A3

Civil Engineering
Land Surveying
Landscape Architecture
Project Management
Town Planning
Urban Design

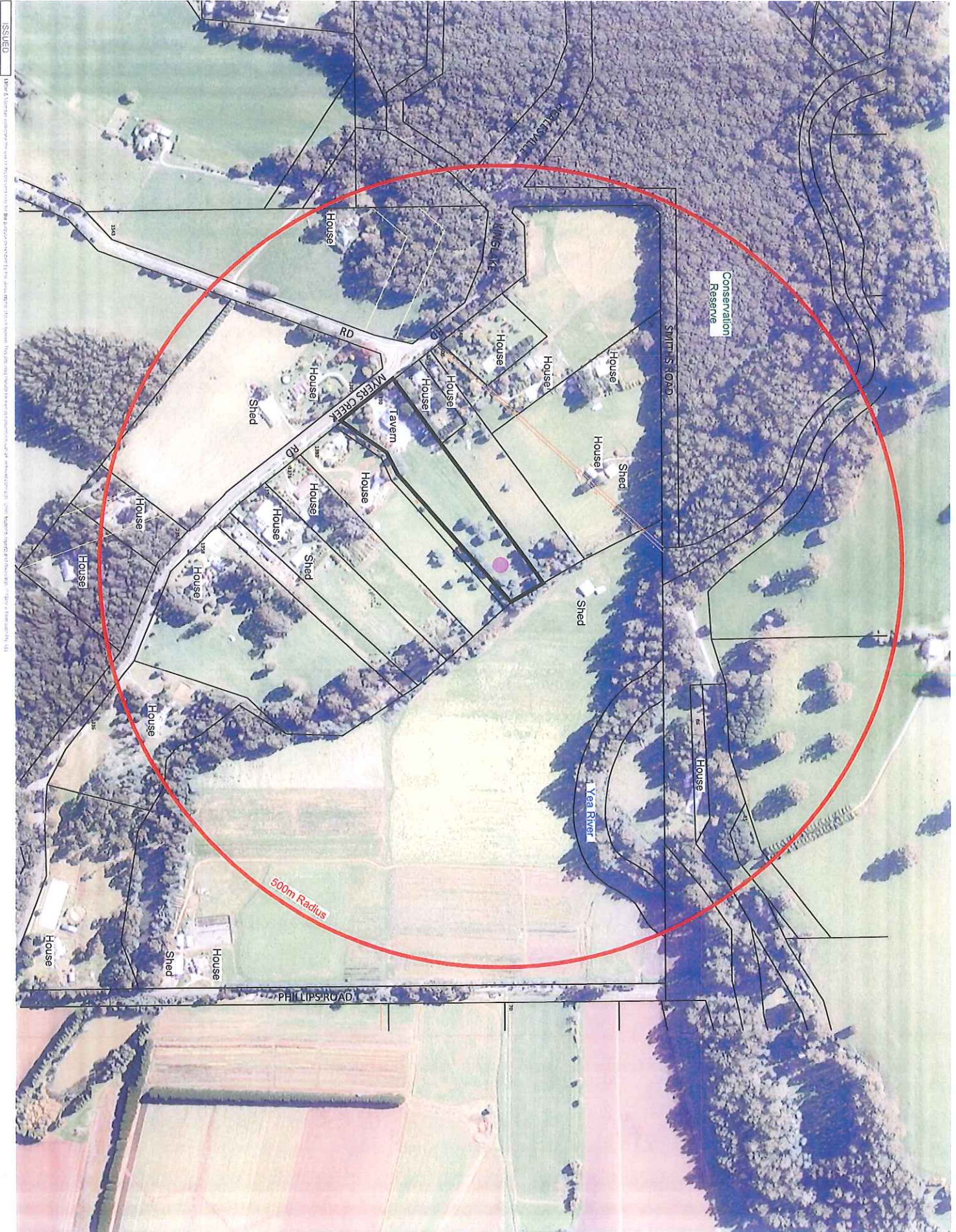


Millar & Merrigan Pty Ltd
ACN 005 541 668
2126 Merrindale Drive Croydon
PO Box 247 Croydon Victoria 3136
t (03) 8720 9500
f (03) 8720 9501
w www.millarmerrigan.com.au
e admin@millarmerrigan.com.au

No.	Revision Description	ME	BN	Date
1	Submitted as part of planning application			22.07.2013

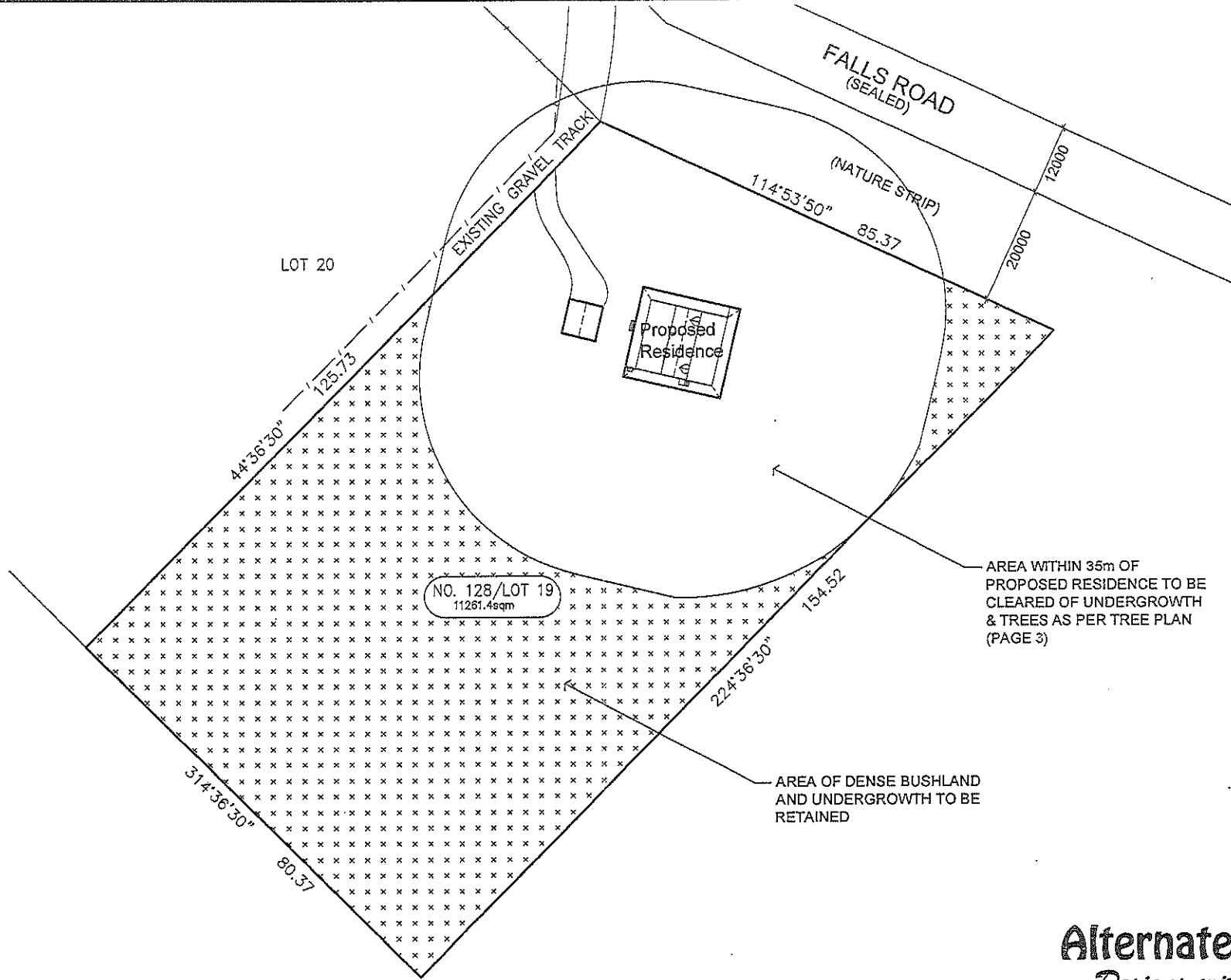
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FOR DISCUSSION



ISSUED
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AREA WITHIN 35m OF PROPOSED RESIDENCE TO BE CLEARED OF UNDERGROWTH & TREES AS PER TREE PLAN (PAGE 3)

AREA OF DENSE BUSHLAND AND UNDERGROWTH TO BE RETAINED

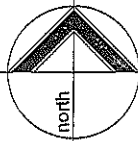
NO. 128/LOT 19
11281.4sqm

VEGETATION PLAN
SCALE 1:700

Alternate Dwellings
Designs with a difference

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ISSUE	DATE	DESCRIPTION
B	06/08/13	DRAFTING CHANGES
A	10/07/13	PRELIMINARY PLANS

These plans form part of your contract. Please check, sign and date each sheet to confirm your approval of these construction drawings. Any variations during construction will incur an on cost.

SIGNED _____
SIGNED _____
DATE _____

HIGHLANDER 23
For: S. PITCHER
128 Falls Road,
MARYSVILLE, VIC

ALTERNATE DWELLINGS PTY LTD
ABN 19 006 245 307 DP-AD 15736
B/P. 61-3368 & DB U5081
PO Box 3442 GMC VICTORIA 3841

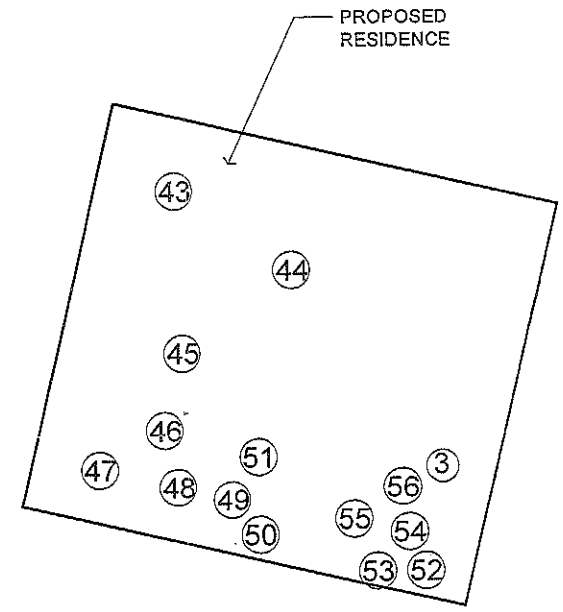
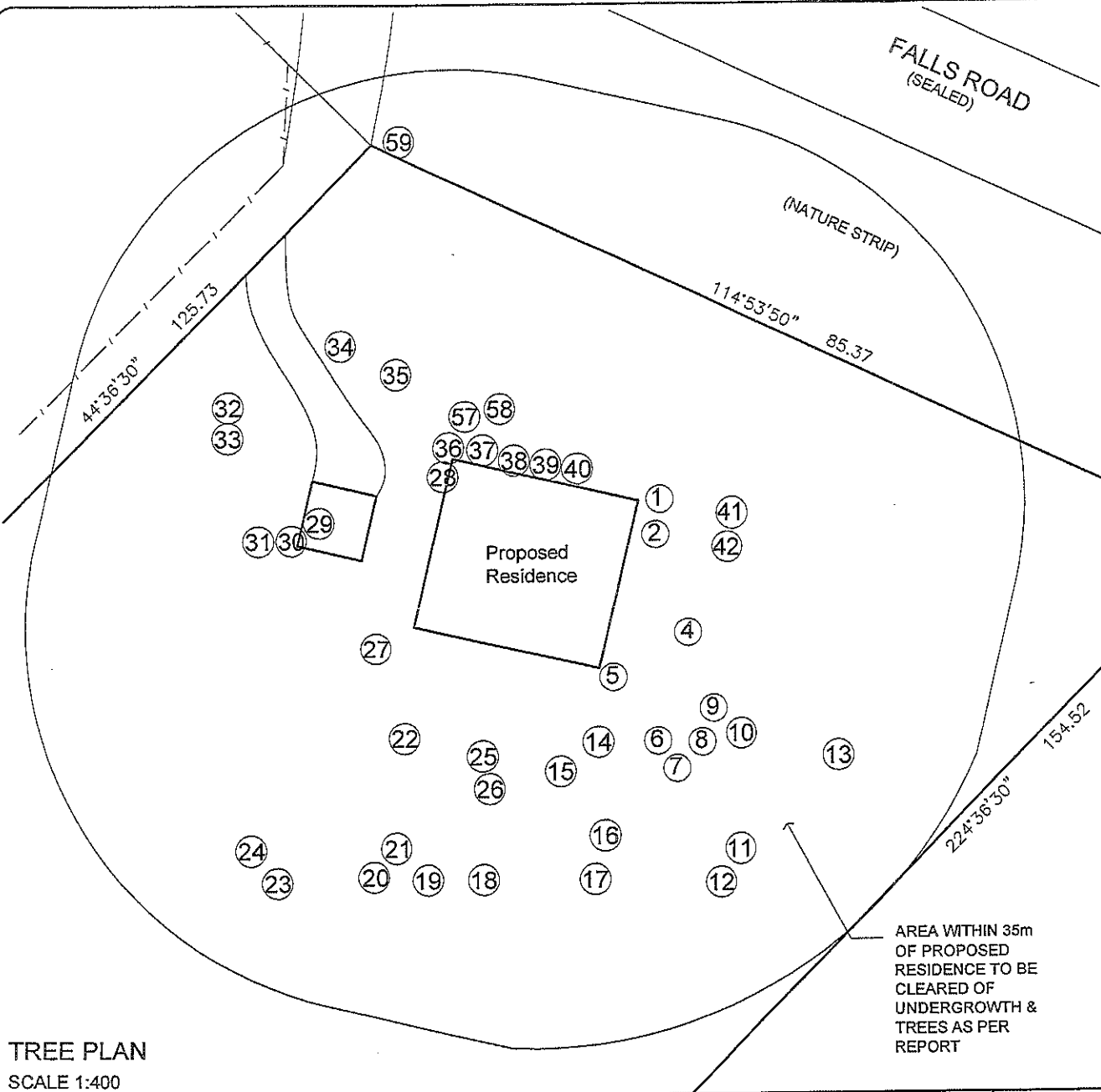
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10/07/13
SHEET: 2 OF 7

JOB NUMBER
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ISSUE: B

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SHEET
PAGE
A3

DO NOT SCALE OFF
ALL DIMENSIONS
TO BE CHECKED
BEFORE WORK
COMMENCES



ENLARGEMENT OF PROPOSED RESIDENCE
TREE PLAN
SCALE 1:200

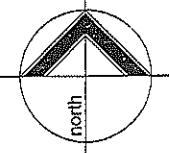
TREE PLAN
SCALE 1:400

AREA WITHIN 35m
OF PROPOSED
RESIDENCE TO BE
CLEARED OF
UNDERGROWTH &
TREES AS PER
REPORT

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These plans form part of your contract. Please check, sign and date each sheet to confirm your approval of these construction drawings. Any variations during construction will incur an on cost.

SIGNED _____
SIGNED _____
DATE _____

HIGHLANDER 23
For: S. PITCHER
128 Falls Road,
MARYSVILLE, VIC

ALTERNATE DWELLINGS PTY LTD
ABN 19 006 245 307 DP-AD 15736
BPB, B1-3350 & DB U6081
P.O.Box 3442 GMC VICTORIA 3841
(03) 54 220 720

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A3

JOB NUMBER
--
ISSUE: B

DO NOT SCALE OFF ALL DIMENSIONS TO BE CHECKED BEFORE WORK COMMENCES



Tree Report on Fire Affected Trees at
126 Falls Road, Marysville, Victoria

Prepared for:

Ron Pitcher
126 Falls Road
Marysville, Vic, 3207

Prepared by:

Al Seaton
PO Box 488
Mansfield, Vic, 3724

23th October 2009

Consulting Arborist

Al Seaton Ph: 0438 751 932

Certificate IV Arboriculture

Email: alseaton1@bigpond.com

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1. Introduction:

Al Seaton has been approached by Keith Ray, (caretaker of Ron Pitcher's properties) of Marysville to provide a report on the various fire affected hazardous trees on Mr. Pitcher's property at 126 Falls Road, Marysville, Victoria.

2. Methodology:

Inspection of these trees was conducted on 23th October 2009. The inspection was carried out from the ground. Aerial inspection could be carried out if further information is required, although it is not believed that this is necessary.

Inclinometer, (device for measuring approximate heights), tape measure and digital camera were used for inspection.

Temperature on the day of inspection was approximately 5 - 15 degrees Celsius. Wind speed and direction was westerly and only a slight breeze.

3. Observations:

Location: This large area of fire affected trees is located at 126 Falls Road, Marysville, Victoria.

Genus: *Eucalyptus*.

Species: *oblique and radiata*

Common Names: Messmate and Peppermint

DBH (Diameter at Breast Height): 150mm - 940 mm+ approximately

Height: 12- 28 meters approximately



Picture No.1 showing large bracket fungi on a semi mature Peppermint. Stability and longevity is unknown and cannot be guaranteed for this and many other trees

Picture No 2 showing remainder of burnt out stump which once supported a large
Peppermint.



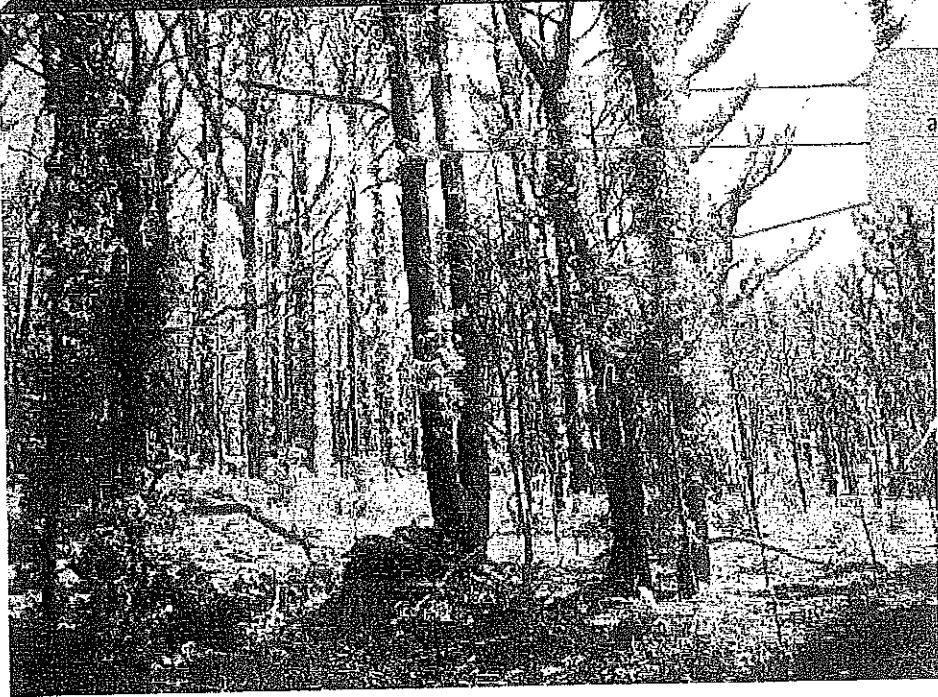
Remainder of large burnt out
stump at 126 Falls Road,
Marysville



Many burnt out logs and fallen
trees throughout the property of
Ron Pitcher

Picture No 3 showing many trees that have fallen during the winds of the Black
Saturday fires

Picture No 4 showing large amounts of Epicormic growth on highly stressed Peppermint's and Mesquite's. A large amount of dead wood is seen throughout canopies of Eucalypts.



Epicormic shoots appearing on highly stressed trees



Picture No 3 showing only a few of the multiple amounts of dead poorly structured and hazardous trees on the property of 126 Falls Road / Marysville

4. Discussion:

Upon inspection of this small area of trees, it is evident that they have suffered severely from the recent 'Black Saturday' fires.

The intense heat of the fire has caused severe damage to the trees. The strong wind during the course of the fire has caused multiple branch and whole tree failures to occur throughout many of the trees. This will, and has allowed infection into the highly stressed trees and will also increase the suffering of the trees.

The stability of these trees cannot be guaranteed as the severity of root damage from the fire cannot be determined.

Some of these remaining trees have very large burnt out hollows located in the trunk and scaffold. Fungal fruiting bodies (*Ryvardenia cretaces*) were evident on various trees. This is a fungus that survives by feeding on dead and dying tissue (heart wood) inside the trunk causing a tree to be very low in stability. This fungus is visible by sighting a large white in color bracket on the external surface of a trunk or limb of a tree.

A large majority of trees in close proximity have been removed since the fires. This will now allow winds to impact on these remaining trees, thus also increasing the chance of instability and failure.

5. Conclusion:

In conclusion, on the inspection of these trees, they are trees with very poor health and very poor structure (see glossary). Although they are native to the area they would be classified as a low retention tree (see glossary).

Their ULE (Useful Life Expectancy) is 0 - 5 years. Potential asset damage will occur if limbs or whole trees fail.

Proposed developments on the property of 126 Falls Road, Marysville, will be at risk when these trees fail.

6. Recommendations:

It is recommended that these trees be removed. The health of these trees is classed as very poor (see glossary) and their structure, very poor.

With the new 10/30 ruling for building in place, the trees that need to be removed are not serving any significant benefit in the native ecosystem and would not be greatly missed.

Limb failure has occurred previously on these trees and with the proposed development in such close proximity this will cause a hazard. Additional limb failure will occur more regularly as the trees continue to decline.

It is a shame to remove young and semi mature tree of this species, however additional devastation is highly likely and something the residents of Marysville do not need to encounter. Removal of these trees was the most advisable recommendation.

7. Glossary:

7.1 DBH Diameter at Breast Height, measured at 1.3 meters above ground level

7.2 Botanical Name: the genus, species and common name.

7.3 Canopy Dimensions: height (average of measured and approximate) and width (approximate) of the canopy in meters.

7.4 Tree Retention

- **High Value-** To be retained on site and the design should accommodate the tree's retention on the site. These trees should be marked or coloured green on the site plan.
- **Medium Value-** The tree may be retained and incorporated into the design intent. These trees should be marked or coloured orange on the site plan.
- **Low Value-** The tree is inappropriate for retention. These trees should be marked or coloured red on the plan.

7.5 Health Definitions:

- **Excellent-** The tree is demonstrating excellent or exceptional growth. The tree should exhibit a full canopy of foliage and be free of pest and disease problems.
- **Good-** The tree is demonstrating good and exceptional health. The tree should exhibit a full canopy of foliage, and have only minor pest and disease problems.
- **Fair-** The tree is in reasonable condition and is growing well. The tree should exhibit an adequate canopy of foliage. There may be some deadwood present in the crown. Some grazing by insects or possums may be evident.
- **Poor-** The tree is not growing to its full capacity, extension growths of the laterals are minimal. The canopy may be thinning or sparse. Large amounts of deadwood may be evident throughout the crown. Significant pest and disease problems may be evident or symptoms of stress indicating tree decline.
- **Very Poor-** The tree appears to be in a state of decline. The tree is not growing to its full capacity. The canopy may be very thin or sparse. A significant volume of dead wood may be present in the canopy or pest and disease problems may be causing a severe decline in the tree health.
- **Dead-** The tree is dead.

• **7.6 Structural Definitions:**

- **Good-** The tree has a well defined and balance crown. Branch unions appear to be strong, with no defects evident in the trunk or the branches. Major limbs are well defined. The tree is considered a good example of the species.
 - **Fair-** The tree has some minor problems in the structured crown. The crown may be slightly out of balance, and some branch unions maybe exhibiting minor structural faults. If the tree has a single trunk, it may be on slight lean or exhibiting minor defects.
 - **Poor-** The tree may have a poorly structured crown, The crown may be unbalanced or exhibit large gaps. Major limbs may not be well defined. Branches may be rubbing or crossing over. Branch unions may be poor or fault at the point of attachment. The tree may have suffered root damage.
 - **Very Poor-** The tree has a poorly structured crown. The crown is unbalanced or exhibits large gaps with possibly large sections of deadwood. Major limbs may not be well defined. Branches may be rubbing or crossing over. Branch unions may be poor or fault at the point of attachment. The tree may have suffered major root damage. Branches may exhibit large cracks that are likely to fall in the future.
- **Failed-** The tree has a very poorly structured crown. A section of the tree has failed or is imminent danger of failure.

7.7 Weight or Force Reduction:

Long or over-extended branches should be selectively pruned from the end of the branch to reduce the end or tip weight. Removing of branches along the stem is not weight reduction pruning. This is known as 'Lion's Tailing' and is poor arboriculture practice. Cuts should be limited to a size no greater than 50mm to 80mm where possible. These works will require qualified and experienced arborists to complete. The works generally involve high climbing and or limb removal.

7.8 Deadwood Removal:

Remove deadwood down to 25mm in diameter from the canopy of the tree. These works can be done using a throw line and weight bag or completed by qualified and experienced arborists who will climb the tree.

8. References:

Eucalyptus, Ian Brooker, David Kleinig, 2001, Page 148 and 149

Trees of Victoria and adjoining areas, Leon Costermans, 6th Edition, Page 76&103

Australian Fungi, Bruce Fuhrer, Revised Edition, Page 121

Native vegetation Permit applicant's form

Department of
Sustainability and
Environment

This form has been prepared to assist you to apply for a planning permit to remove native vegetation. Before submitting an application or starting works, you should discuss your proposal with your local council. They can advise you:

- if you need a permit
- what information should be included in your application
- whether a pre-application meeting visit is recommended
- how the proposal can avoid or minimise native vegetation removal
- whether an offset is required and what might be suitable
- whether your application will be referred to the Department of Sustainability and Environment (DSE).

If you need a planning permit to remove native vegetation you should complete this form and submit it (with a site plan and photographs attached) to your local council along with a (general) planning permit application form and any other documentation required including application fees.

Please note that this form is not designed to provide advice on meeting fire protection requirements. If you need help with this issue, please speak to the Country Fire Authority. However, once it has been decided what native vegetation removal is required, you may use this form to apply for a permit.

When submitting an application to remove native vegetation you must complete all sections of this form. Please note that all the information is required. Depending on what you are proposing, your local council or DSE in some cases, may require additional information.

Please print your answers so that they can be easily read.

If you run out of space on this form, please attach additional pages.

To assist you in completing this form please ensure you have read and understand the "Native vegetation permit applicant's guide".

1. Proposed works

Why do you need to remove native vegetation? Tick the most relevant box(es):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Fire protection | <input type="checkbox"/> Agricultural production |
| <input type="checkbox"/> Construct a new building | <input type="checkbox"/> Construct fences |
| <input type="checkbox"/> Septic tank or water treatment system | <input type="checkbox"/> Control weeds or pest animals |
| <input type="checkbox"/> Swimming pool or tennis court | <input type="checkbox"/> Timber harvesting |
| <input type="checkbox"/> Landscaping or views | <input type="checkbox"/> Firewood |
| <input type="checkbox"/> Access track/crossover or driveway | |
| <input type="checkbox"/> Other: _____ | |
- (please specify)

Describe what you propose to do that involves native vegetation removal.

As per attached Arborist report conducted by Al Saxon the removal of dead fire affected trees are to be removed from close proximity to the proposed house site. Further, as per the requirements of AS 3959-2009 "Construction of buildings in bushfire prone areas" all undergrowth including bracken, vines and eucalypt saplings are to be cleared and maintained to 35m surrounding the house site.

Native vegetation Permit applicant's form

2. Avoiding and minimising removal of native vegetation

Please describe actions you have taken to avoid or minimise native vegetation removal. For more information please see the "Native vegetation permit applicant's guide". Please note that by avoiding or minimising native vegetation removal you will reduce your offset requirement. This will reduce the costs of complying with your permit.

Describe all of the actions you have taken to avoid native vegetation removal. If you can't avoid native vegetation removal please outline the reasons why not.

We have positioned the proposed dwelling to the front of the site as per all other dwellings in the street. By doing this we have taken advantage of a natural clearing present in that area thus reducing the amount of trees to be removed. This position is close to the North West corner of the block, which leaves a significant area to the South and East of the house site to be preserved in it's natural form.

Describe all of the actions you have taken to minimise native vegetation removal, for instance through design, siting or construction techniques. If you can't minimise native vegetation removal please outline the reasons why not.

As above

Native vegetation Permit applicant's form

Describe how works will be managed to minimise disturbance to native vegetation that is not proposed to be removed.

The areas outside the 35m clearance area can be cordoned off to limit any disturbance to native vegetation whilst the removal occurs.

3. Describe the native vegetation

Describe the native vegetation (including trees and patches of bush or native grassland) that you wish to remove.

All trees to be removed and dead fire affected trees which were recommended by the Abbott report be removed.

The undergrowth to be cleared consists of bracken, vines, and eucalypt saplings.

There are no native grasses present in the proposed clearance area.

Tick the most relevant box:

- Patch of bush or native grassland with or without trees
 Trees only with no native shrubs, grasses or wildflowers underneath

For patches of bush or grassland, please specify how much native vegetation you propose to remove:

hectares OR square metres

Native vegetation Permit applicant's form

For each tree you wish to remove, please fill in the table below:

Tree number*	Tree type or species	Lopping only?	Is the tree dead?	Trunk dimensions at 1.3 metres	
				circumference (cm)	OR diameter (cm)
1	<i>Eucalyptus</i>	N	Y	270	86
2	"	N	Y	220	70
3	"	N	Y	100	32
4	"	N	Y	200	64
5	"	N	Y	120	38
6	"	N	Y	160	51
7	"	N	Y	150	48
8	"	N	Y	150	48
9	"	N	Y	150	48
10	"	N	Y	40	13
11	"	N	Y	170	54
12	"	N	Y	100	32
13	"	N	Y	120	38
14	"	N	Y	170	54
15	"	N	Y	100	32
16	"	N	Y	170	54
17	"	N	Y	100	32
18	"	N	Y	150	48
19	"	N	Y	200	64
20	"	N	Y	100	32
21	"	N	Y	170	54
22	"	N	Y	100	32
23	"	N	Y	150	48
24	"	N	Y	150	48
25	"	N	Y	100	32
26	"	N	Y	50	16
27	"	N	Y	270	86

*as numbered on map submitted with this form (see step 6).

Native vegetation Permit applicant's form

For each tree you wish to remove, please fill in the table below:

Tree number*	Tree type or species	Lopping only?	Is the tree dead?	Trunk dimensions at 1.3 metres		
				circumference (cm)	OR	diameter (cm)
28	Eucalyptus	N	Y	180		57
29	"	N	Y	240		76
30	"	N	Y	150		46
31	"	N	Y	130		41
32	"	N	Y	230		73
33	"	N	Y	130		41
34	"	N	Y	70		22
35	"	N	Y	100		32
36	"	N	Y	170		52
37	"	N	Y	150		48
38	"	N	Y	100		32
39	"	N	Y	160		51
40	"	N	Y	150		48
41	"	N	Y	50		16
42	"	N	Y	150		48
43	"	N	Y	160		51
44	"	N	Y	130		41
45	"	N	Y	260		82
46	"	N	Y	50		16
47	"	N	Y	70		22
48	"	N	Y	120		38
49	"	N	Y	80		25
50	"	N	Y	280		89
51	"	N	Y	80		25
52	"	N	Y	90		29
53	"	N	Y	70		22
54	"	N	Y	150		48

*as numbered on map submitted with this form (see step 6).

Native vegetation Permit applicant's form

4. Water and soil

Native vegetation is important to protect soil stability, prevent erosion and soil loss. The area where native vegetation is proposed to be removed is (please tick if applicable):

- less than 30 metres from a waterway or wetland
- prone to water logging or at risk of salinity
- at risk of erosion or landslip
- on a slope more than 20 per cent (~12 degrees)
- a recharge/discharge area

Please talk to your local council if you are unsure about any of these issues.

If you have ticked any of these boxes, please outline any management or protection measures you propose to address the issue(s):

Not Applicable.

5. Offsetting removal of native vegetation

Describe how you intend to offset the removal of native vegetation. This includes details of any native vegetation to be fenced off and managed or replanted.

The removal of native vegetation can be offset by the replanting of a mixture of indigenous and other trees to the North and West boundaries of the property. Further to this, the remaining native vegetation on the property to the South will remain untouched. This area is between 1 1/2 - 2 acres in size.

Tick the most relevant box/es:

- Protect and manage existing native vegetation on your property
- Replant on property
- Protect and manage existing native vegetation on another property
- Replant on another property
- Council offset programs
- BushBroker

Native Vegetation Permit applicant's form

6. Mapping information

Please attach one or more maps or plans clearly marked to show:

- north point, and property boundaries
- dimensions of buildings and distances from features such as patches of native vegetation, trees, fences and roads
- location of what you intend to do
- all areas of native vegetation, clearly showing the native vegetation proposed to be removed (including any area that the Country Fire Brigade has recommended you remove) AND the native vegetation proposed to be retained.
- all trees identified with unique numbers (Section 3)
- location where you took photographs (see Section 7, below).

If possible, your map should show:

- contours and all areas greater than 20% slope (~12 degrees)
- drainage lines, permanent and occasionally flowing creeks, rivers, wetlands and dams
- 1:100 year flood level (if applicable)
- location of any protection or management works proposed to offset native vegetation removal, e.g. areas fenced off with weed control or replanting.

7. Photographs

Please attach photographs of the native vegetation you wish to remove and, if applicable, any areas you wish to manage as an offset.

All photographs should be clear and well lit. To aid identification, it is useful if you provide photographs that depict different aspects of the native vegetation. Please see the guide for more information.

It is useful if your map shows where you took your photographs from and the direction you were facing.

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Murrindindi Shire Council
Domestic Animal Management
Plan 2013 - 2017

Murrindindi Shire Council

Domestic Animal Management Plan 2013-2017

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1. Introduction

1.1 Purpose of the Domestic Animal Management Plan

All Councils in Victoria are required under Section 68A of the *Domestic Animals Act 1994*, to prepare and implement a Domestic Animal Management Plan (The Plan) which is reviewed annually.

The purpose of this Plan is to:

- Document current processes and practices under the Murrindindi Shire Council's animal management responsibilities;
- Increase compliance with the *Domestic Animals Act 1994*;
- Increase pet owners' knowledge of the principles of responsible pet ownership and enhance community safety and awareness;
- Assist the Bureau of Animal Welfare to achieve its stated objectives of reducing the numbers of dogs and cats being euthanised;
- Maximise the numbers of dogs and cats that are registered within the Murrindindi Shire;
- Raise awareness and minimise the harmful effect of domestic pets on the population of native birds, mammals and reptiles;
- Take into account community views on animal management matters; and
- Comply with the relevant provisions of the *Domestic Animals Act 1994*.

2. Domestic Animal Management Plans

The *Domestic Animals Act 1994* (the Act) outlines the requirements for Councils to prepare and maintain a Domestic Animal Management Plan.

- (1) Section 68A of the Act states: every Council must prepare a Domestic Animal Management Plan, as follows:

'Every Council must, in consultation with the Secretary (of the Department Environment and Primary Industries), prepare at 4 year intervals a domestic animal management plan.'

- (2) The legislation states that the Plan must set out the following information;
 - (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 the *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;
 - (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 the *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.

The *Act* also states that Council must undertake the following:

- (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.

3. Murrindindi Shire Council – Demographic and Council Profile

Where we live

Our Shire is 60 to 90 minutes north east of Melbourne. Our amazing landscape boasts beautiful National Parks and State Forests, fertile farming land, the pristine Goulburn River and Lake Eildon.

Removed from the fast pace of big city living yet easily accessible from Melbourne and regional hubs, the Shire promotes quality of life and a laidback lifestyle. The area has five key service centres in Alexandra, Eildon, Kinglake, Marysville and Yea that boast a range of businesses and facilities, educational hubs, medical services and a range of accommodation for visitors and residents.

These service centres are complemented by a number of diverse townships including: Acheron • Buxton • Cathkin • Castella • Flowerdale • Glenburn • Gobur • Highlands • Homewood • Kanumbra • Kinglake West • Koriella • Limestone • Molesworth • Murrindindi • Narbethong • Rubicon • Strath Creek • Taggerty • Terip Terip • Thornton • Toolangi • Woodbourne • Yarck.

Our history

The Wurundjeri tribe and the Taungurung language speakers are the traditional owners of the land known as the Murrindindi Shire.

European settlement followed Hume and Hovell's overland exploration in December 1824. Many local towns were established during the 1850s and 1860s after the discovery of gold.

The Murrindindi Shire Council was declared on 18 November 1994 by the amalgamation of the former municipalities of Alexandra and Yea, and the addition of parts of the former municipalities of Healesville, Broadford, Eltham, Whittlesea and Euroa.

On 7 February 2009, the Victorian bushfires claimed 95 lives in our Shire and burned more than 1500 square kilometres (40 per cent of the shire). Our Shire has shown amazing resilience to come back from this natural disaster and we have a community that continues to grow and prosper today.

Who we are

We have a small population in a large and diverse Shire. More than 80 per cent of our 13,058 population was born in Australia. Other common countries of birth include England 4.2 per cent, New Zealand 1.1 per cent, Germany 0.7 per cent, Scotland 0.6 per cent and Netherlands 0.6 per cent.

Our landscape, clean air and beautiful countryside are major attractors to our region. Our highest

proportion of the population (31.6 per cent) is aged between 45 and 64 and we are getting older. The percentage of those aged over 65 is expected to rise from 18.6 per cent in 2010 to 23.6 per cent in 2021, compared to the Victorian anticipated increase from 13.7 per cent to 20.2 per cent.

We have a strong workforce with around 54 per cent employed full time, 34 per cent employed part-time and 4.8 per cent unemployed which is below the state average for unemployment.

Our major employment sectors include management at 18 per cent, technicians and trades workers at 17 per cent, professionals at 15 per cent, labourers at 12 per cent and community and personal service workers at 12 per cent.

Those who have made the choice to live in Murrindindi Shire have at close hand, all that a world class city has to offer while living in a special part of the world.

What we do

Our community has a strong affinity with the land. This is a strong attraction for people to come to our area to enjoy the natural beauty.

Agriculture, viticulture, horticulture and aquaculture are significant drivers of our economy as is our hospitality and tourism industry.

Our region supplies most of Australia's strawberry runner stock and 80 per cent of Australia's trout stock. Our favourable climate conditions allow for the growing of stone fruits, berries and turf production. We also have a vibrant beef, sheep and grain industry.

Education also provides employment opportunities as does medical services and Local Government.

With over a million visitors each year, our tourism sector is a key economic driver that provides eco-tourism opportunities through to luxury holiday stays.

We offer a truly diverse range of opportunities across our Shire.

4. Domestic Animal Statistics and Data

Murrindindi Shire Council Key Statistics (2012/2013)			
Population (2011)	13,058	Area	3889 sq kms
Number of EFT Animal Control Officers	2	Hours training per officer annually	30
Number of registered dogs	2493	Number of cats registered	475
Estimated dog population	3843	Estimated cat population	1200
Number of Impoundments (dogs)	98	Number of Impoundments (cats)	140
Number of animals returned to owner	72		
Number of dogs rehoused (Coldstream Animal Aid)	24	Number of cats rehoused (Coldstream Animal Aid)	16
Number of dogs destroyed	2	Number of cats destroyed	124

Note: The majority of cats destroyed fall into the category of feral and/or nuisance animals and the dogs destroyed represented in the table are dogs involved in dog attacks.

5. Murrindindi Shire Council – Animal Management Staffing and Operational Structure

Murrindindi Shire Council's Local Laws Unit consists of a Coordinator of Local Laws and a Local Laws Officer. The Coordinator of Local Laws reports to the Manager Development & Environmental Services. The Local Laws Officer reports to and assists the Coordinator of Local Laws with the operational running of the Unit.

The Coordinator Local Laws role oversees both Local Law issues and Animal Management duties. The role also includes overseeing Council's 'after-hours' emergency service, which is resourced by officers on a rotational basis.

5.1 Animal Management Services provided to the Community

The Local Laws Unit is responsible for the delivery of animal management services. These services include:

- Impounding of domestic animals and livestock;
- Managing complaints relating to domestic animals and livestock;
- Promoting responsible pet ownership in the community;
- Investigating dog attacks;
- Ensuring compliance with legislation and the various 'codes of practice' relevant to domestic animals and livestock;
- Domestic animal registration process;
- Investigating animal welfare issues;
- Management of compliance issues for domestic animal businesses;
- Providing advice to the general community and owners of domestic animals on the care of their animals;
- Promotion of the 'responsible pet ownership' program;
- Attendance to 'after-hour' animal emergencies; and
- Development and maintenance of animal management strategies and local laws.

5.2 Local Laws relating to Animal Management

Council has a number of local laws which specifically relate to animal management issues. These local laws relate to the following:

- Restrictions on the number of various animals permitted to be housed in either residential or rural land;
- General housing requirements for domestic animals and livestock;
- Responsibility of owners of domestic animals and livestock for removal of excrement in a public place.
- Fencing requirements for containing livestock on properties; and
- Restrictions placed on owners of livestock when moving or grazing livestock.

The local laws pertaining to the above management issues are set out in 'Attachment 1' on page 28.

6. Training of Authorised Officers

6.1 Current and Planned Training

A variety of training is offered and provided for all Authorised Officers. Training needs are reviewed annually; a training plan is then developed and implemented.

Training courses have included:

- animal handling
- investigation and statement taking
- prosecution
- information technology

Officers also attend industry related seminars, conferences and briefings from the Department Environment & Primary Industries (DEPI), Australian Institute of Animal Management, Municipal Association of Victoria and other relevant Associations.

6.2 Key Performance Objectives

6.2.i Objective 1: Develop and maintain a training register for individual officers detailing completed and proposed training to maintain skills and knowledge.

Activity	When	Evaluation
Training is identified through the Annual Performance Review cycle	Annually	Annual review, to ensure training KPIs are achieved & adjusted accordingly.
Staff attendance at industry related seminars and training, such as: <ul style="list-style-type: none"> • Breed Identification • Annual AIAM Conference • DEPI/BAW Seminars 	As offered	Annual review of programmed attendance in line with training register

6.2.ii Objective 2: Develop Authorised Officers for Council's 'after-hours' emergency service from staff within Council to ensure adequate staffing of the program.

Activity	When	Evaluation
Identify minimum level of experience and training required to build necessary skills to complete tasks	By April 2014	Review and ensure all criteria are met prior to commencement of after-hours duties.
Allocate a "buddy" to the officer being developed and ensure accurate information and training is being provided whilst on the job	Initially over two-week period August 2014	Review feedback from both officers to ensure effective development. If required then further resources allocated.
Allocate a variety of skill based tasks for the officer to complete during the development and training period	Ongoing	Assess completion of each task to ensure officer is developing required skill sets.

7. Registration and Identification

All dogs and cats over the age of 3 months must be registered with Murrindindi Shire Council in accordance with state government legislation. All new registered animals must also be micro-chipped.

New animal registrations for cats and dogs can be made in person at the Customer Service Centres at Alexandra, Kinglake and Yea.

Registration forms can be downloaded online from Council's website <http://www.murrindindi.vic.gov.au> or are available from any of Council's Customer Service Centres.

Domestic animals purchased from domestic animal businesses are provided with a 'New Domestic Animal Owners' package that includes animal registration forms and information on responsible pet ownership.

Local Veterinary Clinics will assist with the micro-chipping of these animals. Council does provide micro-chipping days every second year at various locations throughout the municipality.

Under the *Domestic Animals Act 1994*, animal registration periods expire on April 10 each year. Animal renewal notices are sent out in March every year. Registration renewal payments can be made either via the internet, telephone or in person at any of Council's Customer Service Centres.

The registration renewal process is reviewed every year to ensure animal registrations are accurate prior to the renewals being issued.

Animals found unsecured or wandering at large from their property that are registered with Council have a higher chance of being reunited with their owners. When dogs and cats are outside of the owner's premises, Council identification tags must be worn as outlined in Section 20 of the *Domestic Animals Act 1994*.

The registration of animals provides Council with an understanding of the level of pet ownership in the community and in turn this helps Council plan for services and programs associated with pets in particular areas of the community.

Registration fees help fund the services provided by Council in relation to animal management. A statutory component of the registration fee collected by Council assists in funding the Bureau of Animal Welfare's 'Responsible Pet Ownership' program.

Registration fees are reviewed annually as part of the budget process.

7.1 Current Education Activities

Current education activities relating to registration and identification include:

- Publicising the requirement to register pets over the age of three months in the local media throughout the Shire as well as on Council's website;
- Mail out animal registration renewal notices in March each year to currently registered animals;
- Promotion of the Bureau of Animal Welfare's (BAW) Responsible Pet Ownership program in maternal health centres, pre-school/kindergartens and in primary schools; and
- Responsible Pet Ownership brochures are made available to the community at all customer service centres or upon request. These brochures are included in new animal registration notices to provide information regarding the importance and requirements of registration.

7.2 Current Animal Management Activities

Current compliance activities for registration and identification include:

- A door knock audit conducted each year for animal registrations that have lapsed.
- Ensuring all impounded and unregistered animals are micro-chipped and registered
- Issuing notices and /or infringements for animals found unregistered.
- Prosecuting owners of unregistered animals where infringements remain unpaid and animals remain unregistered.
- Monitoring Domestic Animal Businesses registered within the municipality.
- Monitoring local media advertisements relating to animals being offered for sale.
- Patrols by Council Officers to enforce the provisions of the Act and Council's local laws.
- On-going commitment to the 'after hours' animal service program.

7.3 Summary

The number of unregistered animals that enter Council's pound facility remains high, which suggests that there is a number of unregistered animals within the municipality

Council collects data from the pound records to determine the percentage of unregistered animals impounded throughout the Shire. Such data allows Council to focus on education and compliance activities in these locations.

7.4 Key Performance Objectives

7.4.i Objective 1: To reduce the total number of properties required for the annual door knock audit activity.

Activity	When	Evaluation
Inform residents of the animal registration renewal period by utilising media releases and mailing renewal notices prior to 10 April.	March- May Yearly	Number of registration renewals received prior to the 10 April expiry. Review media release each year to determine the most effective advertising.
Ensure each property is audited and issued infringements where animals found to be unregistered	July – August Yearly	Record total number of properties visited and infringements issued and compare to previous results.
Ensure animal registrations have been renewed and infringements paid.	Sept – Oct Yearly	Record total number of infringements unpaid and animal registrations.

7.4.ii Objective 2: Increase and maintain dog and cat registrations

Activity	When	Evaluation
Ensure all seized and impounded animals are micro-chipped and registered by their owner prior to release. Note: Officers in conjunction with local vets undertake micro-chipping activities.	Prior to every release.	Review annual registration numbers. Review number of dogs and cats being seized and impounded.
Undertake a proactive door knock program in areas believed to have high number of unregistered animals to check for unregistered dogs and cats. Effective advertising prior to audit commencing.	Annually	Review annual increase in registration numbers. Number of unregistered animals picked up during door knocks.

Activity	When	Evaluation
Host biennial micro-chipping days at various locations throughout the shire. Make available the ability to register animals at same time.	2014 & 2016	Collect data on number of animals micro-chipped/registered at these days, to determine areas to be door knocked. Annual animal increase in animal numbers.

8 Management of Nuisance Animals

8.1 Current Situation

	2011	2012
No. of barking dog complaints received (All nuisance complaints are investigated and measures implemented to ameliorate the nuisance)	N/A*	N/A*
No. of cat traps provided to the community	50	58
No. of roaming dog complaints received (Council responds to roaming dog complaints where the situation has escalated to a nuisance. This is often the case on long weekends and school holidays placing additional demands on Council's After Hours Service).	N/A*	N/A*
No. of excess animal complaints.	3	2

*Information not available (N/A), A system for collecting statistical data will be developed and is identified as an objective in section 8.7.(ii).

The *Domestic Animals Act, 1994*, regulates the nuisance provisions for both dogs and cats relating to noise, trespassing and wandering animals. Council also has introduced a number of Local Laws to help minimise and prevent nuisances which are outlined below.

8.2 Local Laws relating to nuisance

Murrindindi Shire Council's Community Local Law Part 2 Clause 8.1, limits the number of dogs and cats on a residential property to 2 (two) without a permit.

Owners seeking permission from Council to keep more than the prescribed number of animals, requires the consent of neighbours and Council approval (via the Authorised Officer).

Where a permit has been issued and a proven nuisance complaint found, a permit can be revoked and owners made to remove the additional animal/s.

8.3 Council Policies for nuisance complaints

Council has a Standard Operating Procedure (SOP) involving nuisance complaints to ensure all complaints received are handled in the same consistent matter by all Authorised Officers.

8.3.i Barking Dogs

The SOP outlines the required processes involved to investigate a complaint relating to nuisance barking dog issues, including the liaison with the owner of the dog, the complainant and surrounding neighbours.

Where nuisances are found to be substantiated pursuant to Section 32 of the *Domestic Animals Act 1994*, Council can issue notices to the owner of the dog to abate the nuisance, as well as issue infringements and/or have the matter heard in the Magistrates Court to seek an order from the Court for the owner to abate the nuisance.

SOPs are reviewed annually or in accordance with legislative amendments.

8.3.ii Cats and Dogs at large

Council Officers will endeavour to return cats and dogs found at large where the animals are registered with Council without incurring an infringement.

In circumstances where repeat wandering at large offenders (more than one offence) are found an infringement and relevant impoundment release fees are imposed on the owner.

When appropriate Council will withdraw Infringements and pursue the matter in the Magistrates Court. Council may seek an order from the Court to require the owner to carry out works to ensure the animal is not able to escape from the owner's premises.

8.4 Current Education/Promotion Activities relating to nuisance animals

The Responsible Pet Ownership program assists Councils with up to date information brochures for numerous issues relating to nuisance animals and methods to deal with the specific nuisance.

Council may also investigate the following:

- Providing information relating to the building of cat enclosures;
- Providing information brochures from the DEPI to the public at all of Council's Customer Service Centres and Council's website;
- Encourage the de-sexing of cats and dogs to reduce wandering;
- Encourage dog owners to seek advice from professional dog trainers and trial dog citronella collars to reduce issues of barking.

8.5 Current compliance activities relating to nuisance animals include:

- Investigate nuisance complaints in accordance with Council's complaint policy guidelines.
- Issuing notices to comply/abate; notices of objection; infringements; and where appropriate taking the matter to the Magistrates Court;
- Providing cat traps to residents;
- Provide animal excrement bags at parks/stipulated areas to ensure dog owners comply with Council's Local Laws for the removal of animal excrement; and
- Report outcomes of any enforcement action/prosecutions when appropriate to raise awareness in the community of the benefits of preventing dog and cat nuisance

8.6 Summary

In order to reduce animal nuisance problems in the community, Council officers will continue to promote and provide activities that achieve improved pet owner compliance, community amenity, awareness and safety.

8.7 Key Performance Objectives

8.7.i Objective 1: Investigate Council's current position relating to the control of dogs in public places pursuant to Section 26 of the *Domestic Animals Act 1994*.

Activity	When	Evaluation
Assess the feasibility and benefits of 'dedicated dog park' areas.	2014	Assess public feedback and feasibility in specific locations This new initiative has budget implications that would require further Council consideration.
Educate dog owners and include Responsible Pet Ownership brochures in Council's 'new owners' package.	Ongoing	Increase in animal registrations. No increase in complaints relating to dogs in public places
Erect signage in parks where appropriate	2015	Record data relating to notices/warnings issued versus decreased number of animal litter and dog wandering complaints in surrounding park areas

8.7.ii Objective 2: Decrease the timeframe in resolving barking dog nuisance complaints/investigations.

Activity	When	Evaluation
Set key performance indicators for Officers to complete barking dog nuisance complaints within a maximum 10 week timeframe.	June 2014	Review complaints annually to evaluate percentage completed within timeframe
Implement barking dog SOP and revise annually	Ongoing	Review complaints to ensure SOPs were followed
Assess the benefits of current practice of issuing citronella collars to residents free of charge, to hiring the collar out to dog owners where complaints are received.	June 2014	Review the effectiveness of citronella collars in reducing dog barking where implemented.
Develop a system for the collection of statistical data for all barking dog and roaming dog nuisances	Monthly	Data to be collected in the operational Key Performance Indicator reporting cycle.

9 Dog Attacks

9.1 Current data

Authorised Council Officers investigate dog attack reports thoroughly. Evidence pertaining to the incident is collated to formulate a prosecution brief. This includes the taking of statements from all parties involved, vet/medical reports, photographs and development of recommendations.

A brief is prepared by the Coordinator Local Laws and makes further recommendations to the Manager Development & Environmental Services in order for Council to decide on an appropriate course of action.

Possible courses of action Council may choose include:

- Infringements (where non-serious injuries sustained);
- Menacing/Dangerous Dog Declaration ;
- Prosecution in Magistrates Court ;
- Seek destruction/compensation orders by Magistrates;
- Seek mediation between parties; and
- Investigate whether further action is required.

Where injuries have occurred to a person or another animal by a dog that is of a serious injury (as defined by the *Domestic Animals Act 1994*), Council will strive to have the matter heard in the Magistrates Court.

Media releases of any successful prosecutions should be published to educate the community and promote responsible pet ownership.

Animal registration fees include a subsidy to the State Government's Bureau of Animal Welfare (BAW) that help fund programs such as responsible pet ownership in schools, pre-schools, maternal and child health centres and hospitals.

9.2 Current education initiatives include the following:

- Providing the new owner package to all new animal owners;
- Media releases promoting the effective confinement and control of dogs;
- Promoting the Bureau of Animal Welfare Responsible Pet Ownership Schools Programs;
- Promoting local obedience training;
- Reporting outcomes of all dog attack prosecutions to local media where appropriate to raise awareness in the community of the need to report dog attacks; and
- Media releases relating to dog attacks on livestock

9.3 Current compliance activities include the following:

- Investigating dog attacks in accordance with the provisions of the *Domestic Animals Act, 1994*;
- Seizing and holding dogs alleged to be involved in an attack pending investigation/prosecution outcome;
- Providing an after-hours service to respond to reports of aggressive or attacking dogs;
- Prosecuting matters pursuant to the *Domestic Animals Act, 1994*;
- Issuing infringements for wandering dogs;
- Issuing infringements for minor attacks where non serious injury is sustained;
- Proactive declarations for Menacing or Dangerous Dogs;
- Seeking destruction Orders from Magistrates Court where necessary;
- Seeking confinement Orders from Magistrates Court for dogs continually found wandering;
- Proactive patrols of parks and streets for wandering dogs;
- Recording data of reported dog attacks within the municipality; and
- Ensuring that any impounded dogs when released will be securely confined to the property where they are housed.

9.4 Summary

Council will continue to conform to the provisions set out in the *Domestic Animals Act, 1994* and ensure compliance is achieved through effective administration of the DAMP and related Council Local Laws. Where breaches are detected Standard Operating Procedures (SOP) have been developed guide the investigation and any enforcement action.

9.5 Key Performance Objectives

9.5.i Objective 1: Provide targeted education and compliance campaigns in areas where data reporting shows higher numbers of dog attack incidents.

Activity	When	Evaluation
Collate and record data for reported dog attacks including, date/time, suburb, animal type, victim, dog unsecured/off lead, dog unregistered, sex, entire/de-sexed	Ongoing	Evaluate data annually to determine areas requiring specific education/compliance activities
Initiate education and compliance activities in the targeted areas with the aim of reducing future incidents. Encourage public to report incidents of 'dogs wandering to reduce likelihood of attacks occurring.	Annually	Evaluate this activity (and overall objective) by comparing number of dog attacks reported to council annually.

9.5.ii Objective 2: To minimise the incidence of dog attacks in the Community.

Activity	When	Evaluation
Providing proactive education/Compliance activities in areas of higher dog attack reports. Communicating key messages for dog attack prevention (eg confinement of dogs to property, leash laws) through media articles, mail outs, website information. Actively patrol areas for roaming, unsecure and/or unregistered dogs.	Ongoing	Compare number of reported dog attack incidents pre and post education campaign. Number of media articles published
Inform the community of outcomes of dog attacks prosecuted in Court	Ongoing	As appropriate
Set key performance indicators for Officers to complete dog attack investigations within a 6 week timeframe.	2013	Review complaints annually to evaluate percentage completed within timeframe

10 Dangerous, Menacing and Restricted Breed Dogs

10.1 Current Situation

10.2 Murrindindi Shire Council has the following declared dogs currently registered within the municipality:

Registered restricted breed dogs	None
Registered declared dangerous dogs	None
Registered declared menacing dogs	None

The *Domestic Animals Act 1994* defines restricted breed dogs as any one of the following breeds:

- Japanese Tosa
- Fila Brasileiro
- dogo Argentino
- Perro de Prasa Canario (or Presa Canario)
- American Pit Bull Terrier (or Pit Bull Terrier)

Council currently has no restricted breed dogs registered within the Shire and actively discourages them from being housed within the municipality.

Owners of restricted breed dogs are required to abide by specific regulations, in particular; secure enclosures and warning signs on premises.

Prospective owners of these breed of dogs are informed by Council Officers of associated expenses that will be incurred with regards to the costs of housing facilities, fencing of the property and increased registration fees.

Council has no declared dangerous dogs (includes guard dogs or dogs trained to attack). Owners of declared dangerous dogs must abide by specific regulations of the *Act*, in particular; secure enclosures, warning signs on premises and restrictions when outside where the dog is normally housed at.

There is currently one training facility within the municipality where dogs are trained for protection. This facility obtained planning approval for the facility and abides by the permit conditions. Authorised Officers continually monitor the facility for compliance issues relating to declared dangerous dogs.

Council has no declared menacing dogs within the municipality. Owners of menacing dogs must abide by conditions specified by Council namely; when the dog is outside the premises it must be muzzled and leashed at all times

Council must register all dangerous/menacing/restricted breed dogs with the Victorian Declared Dog Register (VDDR), this is a database that records all declared dogs for all relevant parties to see. Any dangerous and restricted breed

dog that is entered into the VDDR is declared for the life of the animal and cannot be revoked by Council.

10.3 Current education activities include the following:

- Promoting the 'Dangerous Dog Hotline' (1300-101-080);
- Media releases relating to legislation/changes/updates;
- Media releases relating to differences between Restricted Breed Dogs and Dangerous Dogs; and
- Providing information relating to declared dogs.

10.4 Current compliance activities include the following:

- To discourage the housing/registration of any Restricted Breed/Dangerous Dogs within the municipality;
- Conduct inspections on premises housing declared dogs to ensure compliance if required;
- Proactive patrols during afterhours for unregistered guard dogs;
- Seizing dogs suspected of being Restricted Breed Dogs;
- Ensuring any declared dogs are registered on the VDDR;
- Prosecution/Infringements issued for any determined breach;
- Assessing suspected restricted breed dogs via the gazetted standard; and
- Flagging certain breeds from the animal registration database for assessment.

10.5 Summary

Murrindindi Shire Council will continue administering the *Domestic Animals Act, 1994* to ensure compliance is met where any breach is detected involving any restricted/dangerous/menacing dogs.

10.6 Key Performance Objectives

10.6.i Objective 1: Ensure declared dogs are kept in a manner compliant with relevant legislation and regulations.

Activity	When	Evaluation
Random property inspections of declared dogs to ensure compliance	As required	No registered dangerous dogs within Municipality (October 2013)
Prosecute repeat offenders or serious breaches detected	As required	No registered dangerous dogs within Municipality (October 2013)
After hours patrols for unregistered guard dogs in industrial areas	As required	No registered 'guard' dogs within Municipality (October 2013)

10.6.ii Objective 2: Flag certain breeds on registration database for restricted breed assessment.

Activity	When	Evaluation
Assess certain registered dogs with the gazettal standard for potential restricted breed dogs	ongoing	Number of Restricted Breeds declared from registration database
Cross reference microchip database information for potential restricted breed dogs requiring assessment	2014	Number of declarations compared to number of assessments

11 Overpopulation and High Euthanasia

11.1 Current Situation

	Murrindindi Shire Council	
	2007	2011/12
No. of dogs returned to owner	167	96
No. of dogs rehoused	40	24
No. of dogs euthanised	5	2
No. of cats returned to owner	2	5
No. of cats rehoused	22	16
No. of cats euthanised	131	124

As per the above table, Murrindindi Shire Council has continued in its approach to reduce euthanasia rates of dogs. While cat euthanasia rates have increased slightly, this trend is likely to continue due to a large feral cat population.

Dog euthanasia rates are particularly low due to the high numbers of dogs being returned to their owners or re-housed at the Victorian Animal Aid Shelter at Coldstream.

Where Council has impounded dog(s) involved in stock attacks and no owner claims the dog(s); the dog is euthanised after the statutory holding period.

Cats that are impounded and determined by Authorised Officers to be feral are immediately euthanised.

The DEPI also deal with feral dogs and cats within the municipality, in an attempt to reduce the numbers of nuisance animals.

11.2 Current education initiatives include the following:

- Encouraging de-sexing of animals by offering reduced registration fees;
- Promoting benefits of de-sexing;
- Promoting appropriate pet selection; and

- Promoting cat enclosures and build your own cat enclosures.

11.3 Current compliance activities include the following:

- Cat trapping program;
- Investigating unregistered breeding establishments;
- Ensure the micro-chipping of all unregistered impounded animals prior to their release to the owner;
- Enforcing the Local Law relating to prescribed number of animals on a property; and
- Assessing excess animal permit applications, factoring in number of entire de-sexed animals.

11.4 Key Performance Objectives

11.4.i Objective 1: Continue encouraging de-sexing of animals

Activity	When	Evaluation
Discount registration fees for cats and dogs that are de-sexed	Ongoing	Number of new animals registered in category yearly
Reduced registration for cats and dogs as per DAA obligations	Ongoing	Number of new animals registered in category yearly

11.4.ii Objective 2: Identify illegally operated Domestic Animal Business (DAB) in the Municipality.

Activity	When	Evaluation
Media campaigns to raise awareness of DAB definition and code of practices that must be adhered too. Investigate advertisements of pets for sale	2014 Ongoing	Evaluate number of complaints received and properties inspected.
Audit DAB randomly to ensure compliance	Ongoing	Annual Inspection as required by the Act.

12 Domestic Animal Businesses

12.1 Our current data

Domestic Animal Businesses are defined by the Domestic Animals Act 1994 as:

Domestic animal business means-

- An animal shelter, Council pound or pet shop; or
- An enterprise which carries out the breeding of dogs or cats to seek, where-
 - In the case of an enterprise whose proprietor is a member of an applicable organisation, the enterprise has 10 or more fertile female dogs or 10 or more fertile female cats; or

- II. In the case of an enterprise whose proprietor is not a member of an applicable organisation, the enterprise has 3 or more fertile female dogs or 3 or more fertile female cats; or
- III. An enterprise that is run for profit which carries out the rearing, training or boarding of dogs or cats;

Murrindindi Shire Council has 5 registered domestic animal businesses which include boarding/ breeding and training establishments along with Council's pound facilities.

Registered domestic animal businesses are inspected annually and on receipt of any complaints.

Council actively investigates the presence of animal businesses to ensure compliance with the relevant codes of practice and legislation.

Council's animal pound meets the required DEPI's '*code of practice*' and is audited by the DEPI's Bureau of Animal Welfare to ensure compliance with the *Act*.

Council will continue to work with local veterinary clinics and animal businesses in relation to the Section 84Y agreements that have been entered into, to ensure compliance with the *Act*.

12.2 Current education initiatives include the following:

- Providing information to registered domestic animal businesses;
- Promoting DEPI - BAW information and codes of practices; and
- Advertising new legislation amendments.

12.3 Current compliance activities include the following:

- Annual audits;
- Random audits during peak seasons for particular businesses;
- Investigating complaints;
- Monitoring advertising sites;
- Renewal / Registration process;
- Inspecting suspected unregistered domestic animal businesses; and
- Liaising with the Planning Unit to ensure planning conditions are complied with.

12.4 Key Performance Objectives

12.4.i Objective 1: Council will review Section 84Y agreements with affiliated animal businesses/ organisations in accordance with any legislative change to ensure a continued compliance with the *Act*.

Activity	When	Evaluation
Identify all relevant legislation change to Section 84Y of the <i>Act</i> to ensure compliance	2014	Ensure legislative changes to Section 84Y agreements are included in annual audit of agreements with affiliated animal businesses/organisations

12.4.ii Objective 2: Ensure domestic animal businesses are compliant with relevant legislation and codes of practice

Activity	When	Evaluation
Monitor Council's registration database for owners with more than 3 fertile females	Ongoing	Compliance with local laws and related legislation
Encourage de-sexing of animals by reducing registration fees	Ongoing	Relevant registration accepted
Conduct searches for unregistered domestic animal businesses via internet/media/news papers	Ongoing	Relevant action taken

13 Annual Review of Plan and Annual Reporting

As per 68A(3) of the Domestic Animals Act 1994, Council will review its Domestic Animal Management Plan annually to assess whether any amendments are necessary in order to ensure the plan is relevant and to monitor officers' performance against the plan objectives. Any adjustments are to be reported as part of the Local Laws Business Plan annual review cycle.

In the final year of the plan, Council will undertake a major review and prepare drafting the next domestic animal management plan for the 2017–2021 period.

14 Attachments

Attachment 1: Community Local Law Part 2 Section 5 - Keeping of Animals in Residential Areas

- (1) An owner or occupier of land must not, without a permit, keep, allow to be kept or remain on any land, any more animals or birds other than is stated in the following table:

Type of Animal	Maximum allowed in residential areas.
Dogs	2
Cats	2
Chickens	10
Pigs	None Allowed
Ducks, Geese ,Turkeys	2
Ferrets	2
Guinea Pigs	2
Domestic Birds	50
Pigeons	Permit Required/ Registered with accredited organisation
Rabbits	2
Other animal types	None allowed except where otherwise determined by Council in each individual application for a permit
Roosters	None Allowed.

- (2) Clause(1) does not apply where a planning permit has been obtained for land used for the purposes of animal boarding or breeding.
- (3) For the purpose of calculating the maximum number of dogs or cats kept on any land, any offspring may be lawfully kept, without a permit, for 12 weeks after birth.
- (4) An owner or occupier of land in a residential area may apply to Council for a permit to keep more than the maximum number of animals referred to in clause 48(1).
- (5) Any sheep, goat, horses or cattle except if the land is more than 0.5 hectares, in which case the number that may be kept without a permit is 2

Attachment 2: Community Local Law Part 2 Section 6 – Animal Housing

- (1) An owner or occupier of land on which animals are kept must ensure that they are securely confined to the property at all times.
- (2) An owner or occupier of land on which animals are kept must provide housing which is adequate and appropriate to the animal.

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Attachment 3: Service Levels

Council's Local Laws Department deals with a broad range of issues associated with the management of domestic animals in our community. Including:

- Providing advice to the community in relation to animal matters;
- Responding to customer enquiries and complaints;
- Educating residents and promoting responsible animal ownership;
- Maintaining a register of dogs and cats;
- General patrols to reduce wandering animal complaints;
- Conducting investigations into barking dog complaints;
- Conducting investigations into allegations of dog attack;
- Conducting inspections of animal businesses, dangerous dog premises for compliance with legislation;
- Issuing infringement notices and undertaking court prosecution for serious matters;
- Re-housing of unclaimed animals to the VAAT complex at Coldstream;
- Pound maintenance duties;
- Use of available IT (Palm Pilot, GPS);
- After-hours emergency response service;
- Electronic micro-chipping identification; and
- Ensuring Council fulfils its statutory legislative duties.

Responses to all customer enquiries and complaints will comply with Councils Customer Service Charter.

The following table shows the current service levels provided by Council.

Response	Service Level
Dog attack investigations (24/7)	Commenced within 15 minutes – all days*
Dog 'rush' investigation (24/7)	Commenced within 15 minutes – all days*
Investigation of dangerous/aggressive dogs at large complaints (24/7)	Commenced within 15 minutes – all days*
Inspection of non-compliance /complaints of declared dogs	Commenced within 2 business days
Barking dog investigations	Commenced within 2 business days
Investigation of general domestic animal complaints (unregistered /unsecured)	Commenced within 2 business days
Registration of dogs and cats	June / July annually
Declared dog property inspections	Conducted annually
Domestic Animal Business inspections	Conducted annually
Door-knock registration campaign	Annual inspection program from July to October
Pound – operating hours	Monday to Friday – business hours

Response	Service Level
Micro-chipping program for animals	Programs completed in partnership with micro-chip company – biannually
Community Education (Media items)	As deemed necessary
Feral Cat trapping program	Ten cages are available to the public (no charge)
Stock wandering on roads/highways (24/7)	Commenced within 15 minutes
NOTE *: ‘All Days’ includes after hours services provided for dog attacks, stock on roads and other emergency matters.	

DOMESTIC ANIMAL MANAGEMENT PLAN - SUMMARY OF SUBMISSIONS

PlanSection /Area of concern	Submission	Submitter	Discussion	Recommendation
S6, Training of Authorised Officers	In addition to training activities outlined, recommend addition of the G2Z biennial summit, the Certificate III Companion Animal Services, ACMACR403A (Identify and Respond to Animal Behaviour) and ACMACR406A (Carry Out Pound Procedures).	Getting to Zero	The suggested training for Local Laws Officers is already included in the Certificate IV, Local Government Animal Control & Regulations, which both Council Officers have successfully completed. The certificate incorporates training activities in pound maintenance & procedures.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
S7, registration and Identification	Provide first home trip free for registered and identified animals.	Getting to Zero	Suggested registration and management procedures are presently implemented through Council's standard operating procedures and compliance program.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Increase in frequency of unannounced officer visits to undertake checks and provide information, which has capacity to increase revenue which in turn can support community programs.	Getting to Zero	Council already conducts a periodic doorknock program to facilitate the registration of unregistered animals.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Pet registration is available through a range of outlets, with increasing availability resulting in more registrations.	Getting to Zero	Presently new animal registrations can be paid at all three Council Service Centres. Payment for all registration renewals can be facilitated by a number of options including B-pay.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Expansion of data collection regarding impounds.	Getting to Zero	Council currently complies with its statutory obligations under the Act's Code of Practice 'Operation of Shelters & Pounds' and maintains records of all impounded animals.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Annual micro chipping days in various locations throughout Shire, including less populated and serviced areas.	Getting to Zero	Council already conducts biennial micro-chipping days in various locations that are widely advertised.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
S8, Management of Nuisance Animals	S8.4: Information be added to the MSC website regarding containment options for cats.	Getting to Zero	Add link to website to DEPI's – Bureau of Animal Welfare's (BAW) website for 'Code of Practice' for 'how	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management</i>

PlanSection /Area of concern	Submission	Submitter	Discussion	Recommendation
			to construct a cat enclosure' and 'are you a cat owner'	<i>Plan 2013</i> required.
	S8.4: Undertake education programs in primary and secondary schools regarding all aspects of pet ownership.	Getting to Zero	Currently undertaken by DEPI – BAW's 'Responsible Pet Ownership' program Also BAW's "iphone app" - 'pet town'	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	S8.4: Encourage desexing of cats and dogs to reduce wandering by developing programs such as Cooperative Desexing Program.	Getting to Zero	DEPI - BAW – currently promote these principles in their 'Responsible Pet Ownership' program Desexing vouchers are not offered as Council's registration fee supports desexing of animals with reduced registration fees	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	S8.4: Remove reference to citronella anti barking collars and not advising owners to use these collars to deal with a barking issue (as behavioural issues may not have been properly addressed).	Getting to Zero	Reference in the draft management plan to citronella and barking collars are an option only to control noise nuisance (barking) issues; no removal of this option is considered necessary.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	S8.5: Reduce use of cat traps to deal with cat nuisance issues. If cat traps are to be utilised as a management strategy, a process must be developed and followed for use.	Getting to Zero	The municipality has a high incidence of feral cats with over 200 cats seized per year, most of which cannot be returned to any owner; trapping creates positive environmental results	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
S9, Dog attacks	S9.2: Provision of low / no cost dog training opportunities.	Getting to Zero	Dog obedience procedures are enhanced through use of the Alexandra & District Dog Obedience Club.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	S9.2: Implementation of community seminars / information sessions for owners of dogs, cats and other commonly kept species.	Getting to Zero	Current programs offered by the Alexandra & District Dog Obedience Club Other relevant information is available from the DEPI – BAW website	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	S9.2: Researching alternative animal management models, eg City of Calgary.	Getting to Zero	Current animal management program has been developed in accordance with DEPI – BAW 'Codes of Practice' and industry standards	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	S9.5: Include desexing as	Getting	Currently <i>Domestic Animals</i>	No changes to the

PlanSection /Area of concern	Submission	Submitter	Discussion	Recommendation
	a dog attack prevention strategy.	to Zero	<i>Act 1994</i> stipulates that any dog involved in an attack and has been declared dangerous by Council must be desexed.	exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
S11, Overpopulation and High Euthanasia	S11.1: What supporting data is available for statement that there is a large 'feral' cat population? Where are populations located? Method of euthanasia for 'feral' cats? Is data collected on reproductive status and location of cats caught?	Getting to Zero	The municipality has a high incidence of feral cats with over 200 cats seized per year, most of which cannot be returned to any owner; trapping creates positive environmental results.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	S11.2: Promotion of the principles of 'desex, identify, train and keep safe'. Are discount desexing vouchers provided when promoting the benefits of desexing?	Getting to Zero	DEPI- BAW – currently promote these principles in their 'Responsible Pet Ownership' program Desexing vouchers are not offered as Council provides a reduced fee registration for desexed animals.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	S11.3: Apply discount registration rates for those willing to take responsibility for multiple un-owned cats in suitable areas.	Getting to Zero	Currently 'stray' cats suitable for re-housing are transferred to Victorian Animal Aid shelter at Coldstream. Council's Local Laws has a limitation on number of cats housed at properties within municipality. As per the <i>Act</i> , wild, uncontrollable and unidentifiable cats are deemed to be feral	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	S11.4: Offer desexing subsidies for owners reclaiming animals from the pound, keeping a range of statistics in order to be able to develop strategies to resolve issues and implementation of responsible breeding legislation such as a user pays Local Government Breeder Permit system.	Getting to Zero	Council's registration fee already provides for reduced fees for desexed animals and is compliant with the <i>Act</i> Fees apply for domestic animal businesses & breeding establishments within the municipality.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
Service enhancement / communications	Addition of social media strategies a part of communications plan.	Getting to Zero	Information is currently supplied through local media & Council's website on responsible pet ownership issues.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.

PlanSection /Area of concern	Submission	Submitter	Discussion	Recommendation
	Development of an adoption program for unclaimed animals to increase live release rate and provide opportunity to obtain a pet within the municipality.	Getting to Zero	Currently unclaimed animals that are suitable for re-housing are transferred to the Victorian Animal Aid shelter at Coldstream.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Advertise pound service on Council website.	Getting to Zero	Pound facilities are not advertised as the pound is not staffed.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Increase overall public perceptions, positive branding and communications.	Getting to Zero	Information is currently supplied through local media & Council's website on responsible pet ownership issues.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Implementation of a volunteer 'friends' program at the pound.	Getting to Zero	Council's pound is not manned & officer attendance is dependent on occupation rates and maintenance works requirements.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Development of a coalition of stakeholders to develop cooperative involvement in solutions.	Getting to Zero	Stakeholder engagement is encouraged through the statutory review processes and through normal operational activities that provide 'on-going' opportunity for feedback.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
Other	Inclusion of an emergency animal plan in the animal management department planning.	Getting to Zero	Council currently has an Emergency Animal Welfare Plan that has been endorsed by Council and the Murrindindi Emergency Management Planning Committee.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Utilise resources offered by the Getting to Zero program.	Getting to Zero	Encourage G2O input into annual DEPI review of operational practices and 'Codes of Practice'	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
Community welfare	Encourage micro chipping and registration of animals, promote responsible pet ownership, encourage desexing of pets and encourage responsible pet ownership.	Rescued with Love Inc.	Currently <i>Act</i> requires all dogs/cats over 3 months of age to be micro chipped and registered. DEPI promotes this information through it's 'Responsible Pet Ownership' program	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
Animal welfare	Ensure that animals are given basic veterinary care	Rescued with	Council's pound is managed and complies with	No changes to the exhibited <i>Murrindindi</i>

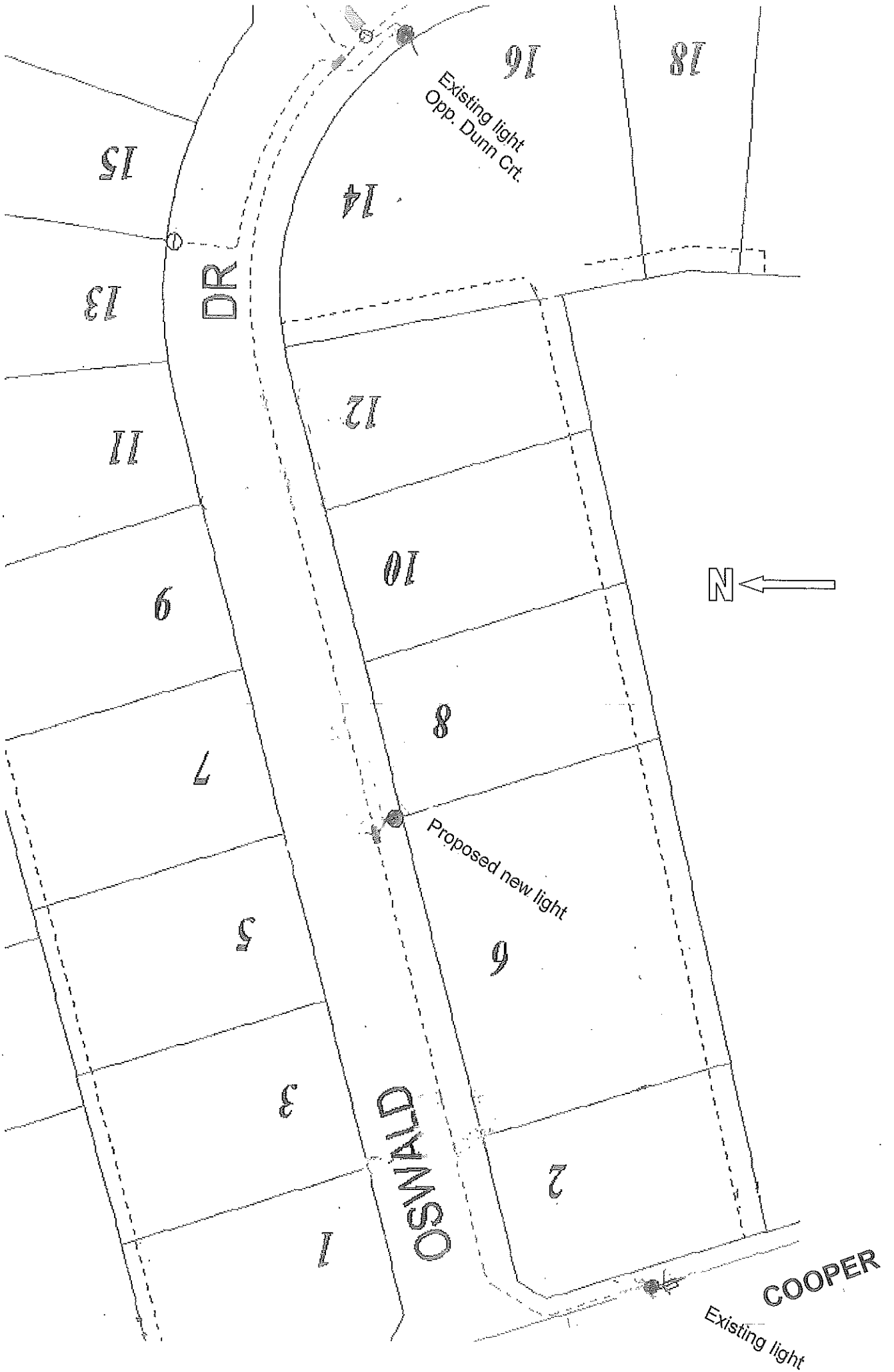
PlanSection /Area of concern	Submission	Submitt er	Discussion	Recommendation
	upon arrival at pound as when collected, Council's responsibilities shift from animal control to animal welfare.	Love Inc.	the <i>Domestic Animals Act</i> , in conjunction with the DEPI - <i>Code of Practice, 'Pounds and Shelters</i> . DEPI officers periodically inspect and audit the pound for compliance with this legislation and procedures.	<i>Shire Domestic Animal Management Plan 2013</i> required.
	Animal welfare outcomes and practices can be improved through collaboration with animal welfare organisations and the community.	Rescued with Love Inc.	Suggested animal impounding and rehousing procedures are effectively currently implemented through Council's agreement with the Victorian Animal Aid Shelter at Coldstream where all animals capable of being rehoused are sent to. The shelter assesses, desexes, vaccinates and when possible, rehouses animals, offering a service that Council cannot provide with its limited pound facilities. The use of this service effectively implements a 'Section 84Y agreement' with a rescue organisation referred to in the submission.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Impounded animals can be released to rescue organisations prior to the 8 days release period with all cost absorbed by the organisation.	Rescued with Love Inc.	Suggested animal impounding and rehousing procedures are effectively currently implemented through Council's agreement with the Victorian Animal Aid Shelter at Coldstream where all animals capable of being rehoused are sent to. The shelter assesses, desexes, vaccinates and when possible, rehouses animals, offering a service that Council cannot provide with its limited pound facilities. The use of this service effectively implements a 'Section 84Y agreement' with a rescue organisation referred to in the submission.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.

PlanSection /Area of concern	Submission	Submitter	Discussion	Recommendation
Reuniting animals and owners	Encourage a 'lost and found' page on Council website to provide information on lost dogs and increase chances of them being reunited with their owners.	Rescued with Love Inc.	Currently the <i>Act</i> requires that all cats/dogs are to be micro chipped and registered. This is why it is so important that owners register their animals. All efforts are made by Council Officers to contact owners of lost registered/micro-chipped animals.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Remind owners to update microchip details with annual registrations.	Rescued with Love Inc.	This activity is promoted by officers and a requirement for any new registrations.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Impound dogs as a last resort, scanning microchips to make contact with owners and allow reclamation before impounding.	Rescued with Love Inc.	Council's standard operating procedure for wandering animals already stipulates that registered animals impound the first time are returned to their owners without penalty	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
Rehousing and rehoming animals	Share desire to reduce the number of animals euthanized, with experience indicating that in addition to desexing, micro chipping, animal registration, working with animal rescue groups and community members can significantly increase the number of rehomed animals and reduce the number euthanized.	Rescued with Love Inc.	Currently cats/dogs suitable for re-housing are sent to Victorian Animal Aid shelter at Coldstream. The <i>Act</i> defines wild, uncontrollable and unidentifiable cats to be deemed feral.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	The use of 'Section 84Y agreements' with rescue organisations can reduce euthanasia rates significantly reduce euthanasia costs.	Rescued with Love Inc.	Suggested animal impounding and rehoming procedures are effectively currently implemented through Council's agreement with the Victorian Animal Aid Shelter at Coldstream where all animals capable of being rehoused are sent to. The shelter assesses, desexes, vaccinates and when possible, rehouses animals, offering a service that Council cannot provide with its limited pound facilities. The use of this service	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.

PlanSection /Area of concern	Submission	Submitter	Discussion	Recommendation
			effectively implements a 'Section 84Y agreement' with a rescue organisation referred to in the submission.	
High euthanasia rate and pound performance	Ineffective and inadequate to purport to satisfy this requirement through desexing programs and education.	Rescued with Love Inc.	Currently cats/dogs suitable for re-housing are sent to Victorian Animal Aid shelter at Coldstream. The <i>Act</i> defines wild, uncontrollable and unidentifiable cats to be deemed feral. DEPI - BAW promotes education programs through their 'Responsible Pet Ownership' program	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Request pound contract includes number of dogs and cats impounded, reunited with owners, adopted into new homes and euthanized and number of unclaimed dogs and cats euthanized.	Rescued with Love Inc.	Council's pound is managed and complies with the <i>Domestic Animals Act</i> , in conjunction with the DEPI – BAW <i>Code of Practice, Pounds and Shelters</i> . DEPI officers periodically inspect and audit the pound for compliance with this legislation and procedures.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
	Look at numerous initiatives that can be out in place to reduce the rates of euthanasia, with no need to euthanize for convenience.	Rescued with Love Inc.	Currently cats/dogs suitable for re-housing are sent to Victorian Animal Aid shelter at Coldstream. The <i>Act</i> defines wild, uncontrollable and unidentifiable cats to be deemed feral. DEPI - BAW promotes education programs through their 'Responsible Pet Ownership' program	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
S7, registration and Identification	Can cats be tattooed for registration in place of wearing collars with registration discs as cannot get cats to wear collars and would make it easier for pensioners.	Private	The potential tattooing of cats is not considered practical as cats are already tattooed for desexing and this would allow confusion if cats were relocated to another municipality.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
General	Action is required to ensure compliance and consequences for those who choose not to comply.	Private	Service provision for pets on weekends and holiday periods is already being implemented through Council's standard operating procedures. These procedures allow nuisance animals to be	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.

PlanSection /Area of concern	Submission	Submitter	Discussion	Recommendation
			reported and impounded on weekends and in holiday periods.	
General	Live in Taggerty and routinely have to deal with other people's dogs and cats which are left to wander	Private	Service provision for pets on weekends and holiday periods is already being implemented through Council's standard operating procedures. These procedures allow nuisance animals to be reported and impounded on weekends and in holiday periods.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.
General	How will the pets of weekenders and holidayers be managed and will compliance staff be available on summer weekends?	Private	Service provision for pets on weekends and holiday periods is already being implemented through Council's standard operating procedures. These procedures allow nuisance animals to be reported and impounded on weekends and in holiday periods.	No changes to the exhibited <i>Murrindindi Shire Domestic Animal Management Plan 2013</i> required.

PROPOSED PUBLIC LIGHT LOCATION DRAWING



December 2013

AUDIT ADVISORY COMMITTEE ANNUAL REPORT

This report prepared by the undersigned outlines the activities carried out by the Audit Advisory Committee for the calendar year 2013. The report covers the obligations of the Committee as set out in the Charter of the Audit Committee, which was approved by the Council on 23rd January 2013.

Annual Agenda

- Meetings were scheduled to coincide with the relevant Council reporting
- The Committee will have met 4 times during the calendar year in compliance with the Charter
- No additional meetings were held

Reporting

- Minutes of each Audit Committee Meeting were forwarded to the Council after each meeting
- The Annual Report (this report) has been prepared as the Committee's summary of activities for the calendar year

Duties and Responsibilities

- An Internal Audit Committee Plan was prepared at the beginning of 2013 and was updated to embrace some changes in September 2013. To a large extent the Audit Committee Plan was followed, however in a number of instances, the items scheduled for review were not presented at all or were deferred to a later date. The committee recommends a closer adherence to the Plan as agreed to ensure that all issues are reviewed in a timely fashion.
- During the year the Audit Committee has been involved with the following activities:
 - Quarterly Financial Reviews
 - Review of Annual Budget and Council Plan
 - Review and recommendation for approval of the Financial Statements for FY2013
 - Review of Risk Register
 - Review of Contract Management Framework
 - Review of Business Continuity and Disaster Recovery Plan, which has been WIP during the year with a decision to rewrite the Plan and set a new completion date of June 2014
 - Review of Excessive Annual Leave
 - Review of Long Service Leave
 - Review of Internal Audit Reports and Management Responses
 - Discussion with External Auditor and reviews of Audit Strategy and Final Management Letter

Membership

- Two new independent members were appointed in February and a third independent member was appointed in November. Two new Councillors with voting rights were appointed during the year, although one had previously been an independent member and Chair.
- The writer was appointed as the new Chairman assuming his duties in September 2013

Committee Performance

- The Committee reviewed the Self Assessment mechanism and after some modification, the self assessment process was completed and actions arising will be implemented in 2014

Conclusion

The Audit Advisory Committee has fulfilled its obligations with respect to the Charter of the Audit Committee during 2013. Nothing of significant concern was identified during the reviews that were conducted. The level of governance is high, with some areas that will benefit from improvements as procedural and systems development continue into the future. We look forward to the benefits of a stable committee membership as we enter 2014.

On behalf of the Committee, I wish to thank the CEO, Margaret Abbey and her leadership team in providing an open, honest and supportive environment for the Committee to carry out its work. I also thank Jeff Hunter for his long service as a member of the committee and as Chairman during his final period.

Ian McKaskill
Chairman
Audit Advisory Committee

S5. Instrument of Delegation to Chief Executive Officer

Murrindindi Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 (**the Act**) and all other powers enabling it, the Murrindindi Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 18 December 2013;
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

DATED this day of 2013

THE COMMON SEAL OF THE MURRINDINDI)
SHIRE COUNCIL was hereunto affixed in the)
presence of:)

Chief Executive Officer

Councillor

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

4. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 4.1 awarding a contract exceeding the value of [insert amount];
 - 4.2 making a local law under Part 5 of the Act;
 - 4.3 approval of the Council Plan under s.125 of the Act;
 - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
 - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
 - 4.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
 - 4.9 appointment of councillor or community delegates or representatives to external organisations; or
 - 4.10 the return of the general valuation and any supplementary valuations;
5. if the issue, action, act or thing is an issue, action or thing which is required by law to be done by Council resolution;
6. 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;

7. 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
 - 7.1 policy; or
 - 7.2 strategy
adopted by Council; or
8. 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
9. 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.



S6. Instrument of Delegation Members of Staff

Murrindindi 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:

“CAD” means Coordinator Assets and Development

“CADIS” means Coordinator Aged and Disability

“CADCC” means Coordinators Aged and Disability Community Care

“CCW” means Coordinator Capital Works

“CES” means Coordinator Environmental Services

“CEO” means Chief Executive Officer

“CFAM” means Coordinator Facilities and Assets Management

“CG” means Coordinator Governance

“CHBC” means Coordinator Home Based Childcare

“CHR” means Coordinator Human Resources

“CIT” means Coordinator Information Technology

“CIO” Coordinator Infrastructure Operations - Depots

“CLS” means Coordinator Library Services

“CLL” means Coordinator Local Laws

“CMCH” means Coordinator Maternal & Child Health

“CPSI” means Coordinator Procurement, Saleyards and Insurance

“CRR” means Coordinator Rates and Revenue

“CSP” means Coordinator Statutory Planning

“CYR” means Coordinator Youth & Recreation

“CWM” means Coordinator Waste Management

“DMERO” means Deputy Municipal Emergency Resource Officer

“EHO” means Environmental Health Officer

“FA” means Financial Accountant

“GMCCS” means General Manager Corporate & Community Services

“GMIDS” means General Manager Infrastructure and Development Services

“GC” means Grants Coordinator

“MA” means Management Accountant

“MIA” means Manager Infrastructure Assets

“MBS” means Municipal Building Surveyor

“MBUS” means Manager Business Services

“MCC” means Manager Customer & Communications

“MCHN” means Maternal & Child Health Nurse

“MCS” means Manager Community Services & Recovery

“MDES” means Manager Development & Environmental Services

“MIO” means Manager Infrastructure Operations

“MERO” means Municipal Emergency Resource Officer

“MRM” means Municipal Recovery Manager

“PO” means Planning Officer

“RS” means Records Supervisor

“SPO” means Strategic Planning Officer

“YCTS” means Yea Cemetery Trust Secretary

declares that:

2.1 this Instrument of Delegation is authorised by **resolution** of Council passed on **18 December 2013**

2.2 the delegation:

2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

2.2.2 remains in force until varied or revoked;

2.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and



|||||
Maddocks

- 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or
 - 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 2.3.4 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.

DATED this day of 2013

THE COMMON SEAL OF THE MURRINDINDI)
SHIRE COUNCIL was hereunto affixed in the)
presence of:)

Chief Executive Officer

Councillor

SCHEDULE

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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)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8(1)(a)(ii)	power to manage one or more public cemeteries	GMCCS	<ul style="list-style-type: none"> where appointed to manage cemetery by Governor in Council
s.12(1)	function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	GMCCS	where council is a Class B cemetery trust
s.12(2)	duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	GMCCS	where council is a Class B cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	GMCCS	
s.14	power to manage multiple public cemeteries as if they are one cemetery	GMCCS	
s.15(1) and (2)	power to delegate powers or functions other than those listed	GMCCS	
s.15(4)	duty to keep records of delegations	GMCCS	
s.17(1)	power to employ any persons necessary	GMCCS	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	GMCCS	
s. 17(3)	power to determine the terms and conditions of employment or engagement	GMCCS	subject to the any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	GMCCS	

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)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19	power to carry out or permit the carrying out of works	GMCCS	
s.20(1)	duty to set aside areas for the interment of human remains	GMCCS	
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	GMCCS	
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	GMCCS	
s.21(1)	power to establish and operate a crematorium in a public cemetery	GMCCS	council must not establish or operate a crematorium set aside for particular religious or community groups.
s.22	power to establish mausolea facilities	GMCCS	subject to the prior written approval of the Secretary
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	GMCCS	
s.26(1)	power to make rules for or with respect to the general care, protection and management of a public cemetery	GMCCS	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	GMCCS	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	GMCCS	subject to the Minister approving the purpose
s.39(1)	power to fix fees and charges or a scale of fees and charges for its services in accordance with this section	GMCCS	subject to the approval of the Secretary under section 40 unless exempt under section 40A

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)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.39(3)	power to fix different fees and charges for different cases or classes of cases	GMCCS	
s.40	duty to notify Secretary of fees and charges fixed under section 39	GMCCS	
s.45	power to invest money	GMCCS	subject to any direction of the Minister This provision does not apply if the management of the public cemetery is a municipal council, not a cemetery trust. In this case, the borrowing & investment powers are governed by the Local Government Act 1989.
s.46	power to borrow money to enable it to perform its functions and exercise its powers	GMCCS	subject to the approval and conditions of the Treasurer This provision does not apply if the management of the public cemetery is a municipal council, not a cemetery trust. In this case, the borrowing & investment powers are governed by the Local Government Act 1989.
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	GMCCS	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	GMCCS	applies only to municipal councils, not cemetery trusts report must contain the particulars listed in s.57(2)

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)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.59	duty to keep records for each public cemetery	YCTS	
s.60(1)	duty to make information in records available to the public for historical or research purposes	YCTS	
s.60(2)	power to charge fees for providing information	GMCCS	
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	GMCCS	
s.64B(d)	power to permit interments at a reopened cemetery	GMCCS	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	GMCCS	the application must include the requirements listed in s.66(2)(a)–(d)
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park	GMCCS	
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	GMCCS	
s.70(2)	duty to make plans of existing place of interment available to the public	GMCCS	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	GMCCS	
s.71(2)	power to dispose of any memorial or other structure removed	GMCCS	
s.72(2)	duty to comply with request received under section 72	GMCCS	

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)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73(1)	power to grant a right of interment	GMCCS, YCTS	
s.73(2)	power to impose conditions on the right of interment	GMCCS	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	GMCCS, YCTS	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	GMCCS, YCTS	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	GMCCS, YCTS	
s.80(1)	function of receiving notification and payment of transfer of right of interment	GMCCS, YCTS	
s.80(2)	function of recording transfer of right of interment	GMCCS, YCTS	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	GMCCS	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	GMCCS	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	GMCCS	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	GMCCS	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	GMCCS	the notice must be in writing and contain the requirements listed in s.85(2)
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	GMCCS	
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	GMCCS	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	GMCCS	
s.91(1)	power to cancel a right of interment in accordance with this section	GMCCS	
s.91(3)	duty to publish notice of intention to cancel right of interment	GMCCS	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	GMCCS	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	GMCCS	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	GMCCS	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	GMCCS	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.100(1)	power to require a person to remove memorials or places of interment	GMCCS	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	GMCCS	
s.100(3)	power to recover costs of taking action under section 100(2)	GMCCS	
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	GMCCS	
s.102(1)	power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	GMCCS	
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	GMCCS	
s.103(1)	power to require a person to remove a building for ceremonies	GMCCS	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	GMCCS	
s.103(3)	power to recover costs of taking action under section 103(2)	GMCCS	
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	GMCCS	
s.106(2)	power to require the holder of the right of interment to provide for an examination	GMCCS	

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)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	GMCCS	
s.106(4)	power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	GMCCS	
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	GMCCS	
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	GMCCS	
s.108	power to recover costs and expenses	GMCCS	
s.109(1)(a)	power to open, examine and repair a place of interment	GMCCS	where the holder of right of interment or responsible person cannot be found
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	GMCCS	where the holder of right of interment or responsible person cannot be found
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	GMCCS	where the holder of right of interment or responsible person cannot be found
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	GMCCS	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	GMCCS	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	GMCCS	
s.112	power to sell and supply memorials	GMCCS	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	GMCCS	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	GMCCS	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	GMCCS	
s.119	power to set terms and conditions for interment authorisations	GMCCS	
s.131	function of receiving an application for cremation authorisation	GMCCS	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	GMCCS	Subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	GMCCS	
s.146	power to dispose of bodily remains by a method other than interment or cremation	GMCCS	subject to the approval of the Secretary

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	GMCCS	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	GMCCS	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	GMCCS	
s.151	function of receiving applications to inter or cremate body parts	GMCCS	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	GMCCS	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	GMCCS	where council is a Class B cemetery trust
Schedule 1 clause 8(8)	power to regulate own proceedings	GMCCS	where council is a Class B cemetery trust subject to clause 8

DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.41A(1)	power to declare a dog to be a menacing dog	GMIDS, MDES	Council may delegate this power to an authorised officer

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(3)	power to require further information	GMIDS, MDES, EHO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	GMIDS, MDES, EHO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	GMIDS, MDES, EHO	refusal must be ratified by council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	GMIDS, MDES	refusal must be ratified by council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	GMIDS, MDES	refusal must be ratified by council or it is of no effect

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	MDES, EHO	If section 19(1) applies

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	MDES, EHO	If section 19(1) applies
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	MDES, EHO	If section 19(1) applies
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	GMIDS, MDES, EHO	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	GMIDS, MDES, EHO	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	GMIDS, MDES, EHO	where council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	GMIDS, MDES, EHO	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	GMIDS, MDES, EHO	where council is the registration authority
s.19CB(4)(b)	power to request copy of records	MDES, EHO	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	MDES, EHO	where council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	MDES, EHO	where council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	MDES, EHO	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	MDES, EHO	where council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	MDES, EHO	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	MDES, EHO	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	MDES, EHO	where council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	MDES, EHO	where council is the registration authority
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	MDES, EHO	where council is the registration authority
---	power to register, renew or transfer registration	MDES, EHO	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	MDES, EHO	where council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	MDES, EHO	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	MDES, EHO	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	MDES, EHO	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	MDES, EHO	where council is the registration authority
s.38B(1)(c)	duty to inspect premises	MDES, EHO	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	MDES, EHO	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	MDES, EHO	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	MDES, EHO	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	MDES, EHO	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	MDES, EHO	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38E(4)	duty to register the food premises when conditions are satisfied	MDES, EHO	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	MDES, EHO	where council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	MDES, EHO	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	MDES, EHO	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	MDES, EHO	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	MDES, EHO	where council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	MDES, EHO	where council is the registration authority
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	MDES, EHO	where council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	MDES, EHO	where council is the registration authority

HERITAGE ACT 1995			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	power to sub-delegate Executive Director's functions	GMIDS, MDES	must obtain Executive Director's written consent first.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victoria Planning Provisions	CEO, GMIDS, MDES	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	CEO, GMIDS, MDES	
s.4H	duty to make amendment to Victoria Planning Provisions available	CEO, GMIDS, MDES, CSP	
s.4I	duty to keep Victoria Planning Provisions and other documents available	CEO, GMIDS, MDES, CSP	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	CEO, GMIDS	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	CEO, GMIDS, MDES	
s.8A(5)	function of receiving notice of the Minister's decision	CEO, GMIDS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CEO, GMIDS	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CEO, GMIDS	
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CEO, GMIDS, MDES	
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	CEO, GMIDS, MDES	
s.12B(1)	duty to review planning scheme	CEO, GMIDS, MDES	
s.12B(2)	duty to review planning scheme at direction of Minister	CEO, GMIDS, MDES	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CEO, GMIDS, MDES	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	CEO, GMIDS, MDES	
s.17(1)	duty of giving copy amendment to the planning scheme	CEO, GMIDS, MDES	
s.17(2)	duty of giving copy s.173 agreement	CEO, GMIDS, MDES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days		
s.18	duty to make amendment etc. available	CEO, GMIDS, MDES	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	CEO, GMIDS, MDES	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	CEO, GMIDS, MDES, CSP	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	CEO, GMIDS, MDES	
s.21(2)	duty to make submissions available	CEO, GMIDS, MDES, CSP	
s.21A(4)	duty to publish notice in accordance with section	CEO, GMIDS, MDES, CSP	
s.22	duty to consider all submissions	CEO, GMIDS, MDES, CSP	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	CEO, GMIDS, MDES, CSP	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	CEO, GMIDS, MDES, CSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	CEO, GMIDS, MDES, CSP	
s.26(1)	power to make report available for inspection	GMIDS, MDES, CSP	
s.26(2)	duty to keep report of panel available for inspection	GMIDS, MDES, CSP	
s.27(2)	power to apply for exemption if panel's report not received	CEO, GMIDS, MDES	
s.28	duty to notify the Minister if abandoning an amendment	GMIDS, MDES	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	CEO, GMIDS, MDES	
s.30(4)(b)	duty to provide information in writing upon request	CEO, GMIDS, MDES	
s.32(2)	duty to give more notice if required	CEO, GMIDS, MDES	
s.33(1)	duty to give more notice of changes to an amendment	CEO, GMIDS, MDES	
s.36(2)	duty to give notice of approval of amendment	CEO, GMIDS, MDES	
s.38(5)	duty to give notice of revocation of an amendment	CEO, GMIDS, MDES	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	CEO, GMIDS, MDES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.40(1)	function of lodging copy of approved amendment	CEO, GMIDS, MDES	
s.41	duty to make approved amendment available	CEO, GMIDS, MDES, CSP	
s.42	duty to make copy of planning scheme available	CEO, GMIDS, MDES, CSP	
s.46AS(ac)	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, GMIDS	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	CEO, GMIDS, MDES, CSP	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	CEO, GMIDS, MDES, CSP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, GMIDS, MDES, CSP	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CEO, GMIDS, MDES, CSP	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, GMIDS, MDES, CSP	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	CEO, GMIDS, MDES, CSP	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, GMIDS, MDES, CSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(1)	duty to keep proper accounts of levies paid	CEO, GMIDS, MDES, CSP	
s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency	CEO, GMIDS, MDES, CSP	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc.	CEO, GMIDS, MDES, CSP	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, GMIDS, MDES	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area	CEO, GMIDS, MDES, CSP	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	CEO, GMIDS, MDES	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	CEO, GMIDS, MDES	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	CEO, GMIDS, MDES, CSP	
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	CEO, GMIDS	
s.46Y	duty to carry out works in conformity with the approved strategy plan	CEO, GMIDS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.47	power to decide that an application for a planning permit does not comply with that Act	CEO, GMIDS, MDES, CSP	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	CEO, GMIDS, MDES, CSP	
s.49(2)	duty to make register available for inspection	CEO, GMIDS, MDES, CSP	
s.50(4)	duty to amend application	CEO, GMIDS, MDES, CSP	
s.50(5)	power to refuse to amend application	CEO, GMIDS, MDES, CSP	
s.50(6)	duty to make note of amendment to application in register	CEO, GMIDS, MDES, CSP	
s.50A(1)	power to make amendment to application	CEO, GMIDS, MDES, CSP	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	CEO, GMIDS, MDES, CSP	
s.50A(4)	duty to note amendment to application in register	CEO, GMIDS, MDES, CSP	
s.51	duty to make copy of application available for inspection	CEO, GMIDS, MDES, CSP	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	CEO, GMIDS, MDES, CSP, PO	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	CEO, GMIDS, MDES, CSP, PO, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	CEO, GMIDS, MDES, CSP, PO, SPO	
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CEO, GMIDS, MDES, CSP, PO, SPO	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	CEO, GMIDS, MDES, CSP, PO, SPO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	CEO, GMIDS, MDES, CSP, PO, SPO	
s.52(3)	power to give any further notice of an application where appropriate	CEO, GMIDS, MDES, CSP, PO, SPO	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	CEO, GMIDS, MDES, CSP, PO, SPO	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	CEO, GMIDS, MDES, CSP, PO, SPO	
s.54(1)	power to require the applicant to provide more information	CEO, GMIDS, MDES, CSP, PO, SPO	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	CEO, GMIDS, MDES, CSP, PO, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(1B)	duty to specify the lapse date for an application	CEO, GMIDS, MDES, CSP, PO, SPO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	CEO, GMIDS, MDES, CSP, PO, SPO	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	CEO, GMIDS, MDES, CSP, PO, SPO	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CEO, GMIDS, MDES, CSP, PO, SPO	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	CEO, GMIDS, MDES, CSP	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	CEO, GMIDS, MDES, CSP, PO, SPO	
s.57(5)	duty to make available for inspection copy of all objections	CEO, GMIDS, MDES, CSP	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	CEO, GMIDS, MDES, CSP, PO, SPO	
s.57A(5)	power to refuse to amend application	CEO, GMIDS, MDES, CSP	Subject to Council ratification
s.57A(6)	duty to note amendments to application in register	CEO, GMIDS, MDES, CSP, PO, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57B(1)	duty to determine whether and to whom notice should be given	CEO, GMIDS, MDES, CSP, PO, SPO	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	CEO, GMIDS, MDES, CSP, PO, SPO	
s.57C(1)	duty to give copy of amended application to referral authority	CEO, GMIDS, MDES, CSP, PO, SPO	
s.58	duty to consider every application for a permit	CEO, GMIDS, MDES, CSP	
s.58A	power to request advice from the Planning Application Committee	CEO, GMIDS	
s.60	duty to consider certain matters	CEO, GMIDS, MDES, CSP, PO, SPO	
s60(1A)	power to consider certain matters before deciding on application	CEO, GMIDS, MDES, CSP	
s.61(1)	power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO, GMIDS, MDES, CSP	<p>the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i></p> <p>The power to refuse a permit application or to determine an application for which objections have been lodged is not delegated.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, GMIDS, MDES, CSP	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CEO, GMIDS, MDES, CSP	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	CEO, GMIDS, MDES, CSP	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO, GMIDS, MDES, CSP, PO, SPO	
s.62(1)	duty to include certain conditions in deciding to grant a permit	CEO, GMIDS, MDES, CSP, PO, SPO	
s.62(2)	power to include other conditions	CEO, GMIDS, MDES, CSP, PO, SPO	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CEO, GMIDS, MDES, CSP, PO, SPO	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	CEO, GMIDS, MDES, CSP	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	CEO, GMIDS, MDES, CSP, PO, SPO	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	CEO, GMIDS, MDES, CSP, PO, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	CEO, GMIDS, MDES, CSP	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	CEO, GMIDS, MDES, CSP	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO, GMIDS, MDES, CSP, PO, SPO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	CEO, GMIDS, MDES, CSP, PO, SPO	
s.64(3)	duty not to issue a permit until after the specified period	CEO, GMIDS, MDES, CSP, PO, SPO	
s.64(5)	duty to give each objector a copy of an exempt decision	CEO, GMIDS, MDES, CSP	
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CEO, GMIDS, MDES, CSP, PO, SPO	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	CEO, GMIDS, MDES, CSP, PO, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	CEO, GMIDS, MDES, CSP,PO, SPO	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	CEO, GMIDS, MDES, CSP,PO, SPO	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, GMIDS, MDES, CSP,PO, SPO	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	CEO, GMIDS, MDES, CSP,PO, SPO	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	CEO, GMIDS, MDES, CSP, PO, SPO	
s.69(1A)	function of receiving application for extension of time to complete development	CEO, GMIDS, MDES, CSP,PO, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(2)	power to extend time	CEO, GMIDS, MDES, CSP	
s.70	duty to make copy permit available for inspection	CEO, GMIDS, MDES, CSP, PO, SPO	
s.71(1)	power to correct certain mistakes	CEO, GMIDS, MDES, CSP	
s.71(2)	duty to note corrections in register	CEO, GMIDS, MDES, CSP	
s.73	power to decide to grant amendment subject to conditions	CEO, GMIDS, MDES, CSP	
s.74	duty to issue amended permit to applicant if no objectors	CEO, GMIDS, MDES, CSP	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CEO, GMIDS, MDES, CSP	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	CEO, GMIDS, MDES, CSP, PO, SPO	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CEO, GMIDS, MDES, CSP, PO, SPO	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, GMIDS, MDES, CSP, PO, SPO	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	CEO, GMIDS, MDES, CSP, PO, SPO	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	CEO, GMIDS, MDES, CSP	
s.83	function of being respondent to an appeal	CEO, GMIDS, MDES, CSP	
s.83B	duty to give or publish notice of application for review	CEO, GMIDS, MDES, CSP	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO, GMIDS, MDES, CSP	
s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CEO, GMIDS, MDES, CSP	
s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	CEO, GMIDS, MDES, CSP	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	CEO, GMIDS, MDES, CSP	
s.86	duty to issue a permit at order of Tribunal within 3 working days	CEO, GMIDS, MDES, CSP	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	CEO, GMIDS, MDES, CSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	CEO, GMIDS, MDES, CSP	
s.91(2)	duty to comply with the directions of VCAT	CEO, GMIDS, MDES, CSP	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	CEO, GMIDS, MDES, CSP	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	CEO, GMIDS, MDES, CSP	
s.93(2)	duty to give notice of VCAT order to stop development	CEO, GMIDS, MDES, CSP	
s.95(3)	function of referring certain applications to the Minister	CEO, GMIDS, MDES, CSP	
s.95(4)	duty to comply with an order or direction	CEO, GMIDS, MDES, CSP	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	CEO, GMIDS, MDES, CSP	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, GMIDS, MDES, CSP	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, GMIDS, MDES, CSP	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	CEO, GMIDS, MDES, CSP	
s.96F	duty to consider the panel's report under section 96E	CEO, GMIDS, MDES, CSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	CEO, GMIDS, MDES, CSP	
s.96H(3)	power to give notice in compliance with Minister's direction	CEO, GMIDS, MDES, CSP	
s.96J	power to issue permit as directed by the Minister	CEO, GMIDS, MDES, CSP	
s.96K	duty to comply with direction of the Minister to give notice of refusal	CEO, GMIDS, MDES, CSP	
s.97C	power to request Minister to decide the application	CEO, GMIDS, MDES, CSP	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, GMIDS, MDES, CSP	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CEO, GMIDS, MDES, CSP	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	CEO, GMIDS, MDES, CSP	
s.97L	duty to include Ministerial decisions in a register kept under section 49	CEO, GMIDS, MDES, CSP	
s.97MH	duty to provide information or assistance to the Planning Application Committee	CEO, GMIDS, MDES, CSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	CEO, GMIDS, MDES	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	CEO, GMIDS, MDES, CSP	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CEO, GMIDS, MDES, CSP	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, GMIDS, MDES, CSP	
s.97Q(4)	duty to comply with directions of VCAT	CEO, GMIDS, MDES, CSP	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	CEO, GMIDS, MDES, CSP	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	CEO, GMIDS, MDES	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	CEO, GMIDS, MDES	
s.101	function of receiving claim for expenses in conjunction with claim	CEO, GMIDS, MDES	
s.103	power to reject a claim for compensation in certain circumstances	CEO, GMIDS, MDES	
s.107(1)	function of receiving claim for compensation	CEO, GMIDS, MDES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.107(3)	power to agree to extend time for making claim	CEO, GMIDS, MDES	
s.114(1)	power to apply to the VCAT for an enforcement order	CEO, GMIDS, MDES	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	CEO, GMIDS, MDES	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	CEO, GMIDS, MDES	
s.123(1)	power to carry out work required by enforcement order and recover costs	CEO, GMIDS, MDES	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	CEO, GMIDS, MDES	except Crown Land
s.129	function of recovering penalties	CEO, GMIDS, MDES	
s.130(5)	power to allow person served with an infringement notice further time	CEO, GMIDS, MDES	
s.149A(1)	power to refer a matter to the VCAT for determination	CEO, GMIDS, MDES	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CEO, GMIDS, MDES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	CEO, GMIDS, MDES	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	CEO, GMIDS, MDES	
s.171(2)(g)	power to grant and reserve easements	CEO, GMIDS, MDES	
s.173	power to enter into agreement covering matters set out in section 174	CEO	
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CEO, GMIDS, MDES	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	CEO, GMIDS, MDES	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO	
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(1)	function of receiving application to amend or end an agreement	CEO, GMIDS, MDES	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	CEO, GMIDS, MDES	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO, GMIDS, MDES	
s.178A(5)	power to propose to amend or end an agreement	CEO, GMIDS, MDES	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	CEO, GMIDS, MDES	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	CEO, GMIDS, MDES	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CEO, GMIDS, MDES	
s.178C(4)	function of determining how to give notice under s.178C(2)	CEO, GMIDS, MDES	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	CEO, GMIDS, MDES	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	CEO, GMIDS, MDES	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, GMIDS, MDES	If no objections are made under s.178D Must consider matters in s.178B

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(c)	power to refuse to amend or end the agreement	CEO, GMIDS, MDES	If no objections are made under s.178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	CEO, GMIDS, MDES	After considering objections, submissions and matters in s.148B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, GMIDS, MDES	After considering objections, submissions and matters in s.148B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CEO, GMIDS, MDES	After considering objections, submissions and matters in s.148B
s.178E(3)(d)	power to refuse to amend or end the agreement	CEO, GMIDS, MDES	After considering objections, submissions and matters in s.148B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	CEO, GMIDS, MDES, CSP	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	CEO, GMIDS, MDES, CSP	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CEO, GMIDS, MDES, CSP	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	CEO, GMIDS, MDES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CEO, GMIDS, MDES	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, GMIDS, MDES	
s.179(2)	duty to make available for inspection copy agreement	CEO, GMIDS, MDES	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CEO, GMIDS, MDES	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	CEO, GMIDS, MDES, CSP	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	CEO, GMIDS, MDES, CSP	
s.182	power to enforce an agreement	CEO, GMIDS, MDES	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	CEO, GMIDS, MDES, CSP	
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CEO, GMIDS, MDES	
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, GMIDS, MDES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CEO, GMIDS, MDES	
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CEO, GMIDS, MDES	
s.184G(2)	duty to comply with a direction of the Tribunal	CEO, GMIDS, MDES	
s.184G(3)	duty to give notice as directed by the Tribunal	CEO, GMIDS, MDES	
s.198(1)	function to receive application for planning certificate	CEO, GMIDS, MDES, CSP, PO, SPO	
s.199(1)	duty to give planning certificate to applicant	CEO, GMIDS, MDES, CSP, PO, SPO	
s.201(1)	function of receiving application for declaration of underlying zoning	CEO, GMIDS, MDES, CSP, PO, SPO	
s.201(3)	duty to make declaration	CEO, GMIDS, MDES, CSP	
-	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, GMIDS, MDES, CSP	
	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, GMIDS, MDES, CSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	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, GMIDS, MDES, CSP	As it relates to Engineering Plans relating to developments.
		GMIDS, MIA, CAD	
-	power to give written authorisation in accordance with a provision of a planning scheme	CEO, GMIDS, MDES, CSP	
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	CEO, GMIDS, MDES, CSP	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	CEO, GMIDS, MDES, CSP	

RAIL SAFETY ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	GMIDS	where council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	GMIDS	duty of council as a road authority under the <i>Road Management Act 2004</i>
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	GMIDS	where council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	GMIDS	where council is the relevant road authority

RAIL SAFETY ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	GMIDS	where council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	GMIDS	where council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	GMIDS	where council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	GMIDS	where council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	GMIDS	where council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	GMIDS	where council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	GMIDS	where council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	GMIDS	where council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	GMIDS	where council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	GMIDS	where council is the relevant road authority
s.34I	function of entering into safety interface agreements	GMIDS	where council is the relevant road authority

RAIL SAFETY ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34J(2)	function of receiving notice from Safety Director	GMIDS	where council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	GMIDS	where council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	GMIDS	where council is the relevant road authority

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	CEO,GMIDS, MDES,EHO	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	CEO,GMIDS, MDES,EHO	
s. 142G(2)	power to enter certain information in the Rooming House Register	CEO,GMIDS, MDES,EHO	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	CEO,GMIDS, MDES,EHO	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	CEO,GMIDS, MDES,EHO	where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	CEO,GMIDS, MDES,EHO	where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	CEO,GMIDS, MDES,EHO	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO,GMIDS, MDES,EHO	
s.522(1)	power to give a compliance notice to a person	CEO, GMIDS, MDES, EHO	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	MDES, EHO	
s.525(4)	duty to issue identity card to authorised officers	MDES, EHO	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.526(5)	duty to keep record of entry by authorised officer under section 526	MDES, EHO	
s.526A(3)	function of receiving report of inspection	MDES, EHO	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	MDES, EHO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	CEO, GMIDS, MIA	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	CEO, GMCCS, GMIDS, MIA, CSP	
s.11(9)(b)	duty to advise Registrar	CEO, GMIDS, MIA, CSP, CAD	
s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	CEO, GMIDS, MIA, CAD	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	CEO, GMIDS, MIA, CAD	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	CEO, GMIDS, MIA	were council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	CEO,GMIDS, MIA	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	CEO,GMIDS, MIA	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	CEO,GMIDS, MIA	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	CEO,GMIDS, MIA, CAD, GMCCS	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	CEO,GMIDS, MIA, CAD	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	CEO,GMIDS, MIA	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	CEO,GMIDS, MIA	
s.14(7)	power to appeal against decision of VicRoads	CEO,GMIDS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO,GMIDS, MIA	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO,GMIDS, MIA	
s.15(2)	duty to include details of arrangement in public roads register	CEO,GMIDS, MIA	
s.16(7)	power to enter into an arrangement under section 15	CEO,GMIDS, MIA	
s.16(8)	duty to enter details of determination in public roads register	CEO,GMIDS, MIA	
s.17(2)	duty to register public road in public roads register	CEO,GMIDS, MIA	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	CEO,GMIDS, MIA	where council is the coordinating road authority
s.17(3)	duty to register a road reasonably required for general public use in public roads register	CEO,GMIDS, MIA	where council is the coordinating road authority
s.17(4)	power to decide that a road is no longer reasonably required for general public use	CEO,GMIDS, MIA	where council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	CEO,GMIDS, MIA	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	CEO,GMIDS, MIA	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	CEO,GMIDS, MIA	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	CEO,GMIDS, MIA	
s.19(4)	duty to specify details of discontinuance in public roads register	CEO,GMIDS, MIA	
s.19(5)	duty to ensure public roads register is available for public inspection	CEO,GMIDS, MIA	
s.21	function of replying to request for information or advice	CEO,GMIDS, GMCCS, MIA	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	CEO,GMIDS, GMCCS, MIA	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	CEO,GMIDS, GMCCS, MIA	
s.22(5)	duty to give effect to a direction under this section.	CEO,GMIDS, GMCCS, MIA	
s.40(1)	duty to inspect, maintain and repair a public road.	CEO,GMIDS, MIA, MIO	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	CEO,GMIDS, MIA, MIO	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	CEO,GMIDS, MIA, MIO	
s.42(1)	power to declare a public road as a controlled access road	CEO,GMIDS, MIA	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	CEO,GMIDS, MIA	power of coordinating road authority and Schedule 2 also applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.42A(3)	duty to consult with VicRoads before road is specified	CEO,GMIDS, MIA	where council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	CEO,GMIDS, MIA	where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CEO,GMIDS, MIA	where council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	CEO,GMIDS, MIA	
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	CEO,GMIDS, MIA	
s.49	power to develop and publish a road management plan	CEO, GMIDS, MIA	
s.51	power to determine standards by incorporating the standards in a road management plan	CEO, GMIDS, MIA	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO,GMIDS, MIA	
s.54(2)	duty to give notice of proposal to make a road management plan	CEO,GMIDS, MIA	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	CEO, GMIDS, MIA	
s.54(6)	power to amend road management plan	CEO, GMIDS, MIA	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(7)	duty to incorporate the amendments into the road management plan	CEO, GMIDS, MIA	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO,GMIDS, MIA	
s.63(1)	power to consent to conduct of works on road	CEO,GMIDS, MIA, CAD	where council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CEO,GMIDS, MIA, CAD	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	CEO,GMIDS, MIA	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	CEO,GMIDS, MIA, CAD	where council is the coordinating road authority
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	CEO,GMIDS, MIA, CAD	where council is the coordinating road authority
s.67(3)	power to request information	CEO,GMIDS, MIA, CAD	where council is the coordinating road authority
s.68(2)	power to request information	CEO,GMIDS, MIA, CAD	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	CEO,GMIDS	
s.72	duty to issue an identity card to each authorised officer	CEO,GMIDS	
s.85	function of receiving report from authorised officer	CEO,GMIDS	
s.86	duty to keep register re section 85 matters	CEO,GMIDS, MIA	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.87(1)	function of receiving complaints	CEO,GMIDS, MIA	
s.87(2)	duty to investigate complaint and provide report	CEO,GMIDS, MIA	
s.112(2)	power to recover damages in court	CEO,GMIDS	
s.116	power to cause or carry out inspection	CEO,GMIDS, MIO, MIA, CAD	
s.119(2)	function of consulting with VicRoads	CEO,GMIDS, MIA	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	CEO,GMIDS, MIA, MIO	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	CEO,GMIDS, MIA, MIO	
s.121(1)	power to enter into an agreement in respect of works	CEO,GMIDS, MIA	
s.122(1)	power to charge and recover fees	CEO,GMIDS, MIA	
s.123(1)	power to charge for any service	CEO,GMIDS, MIA	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	CEO,GMIDS, MIA	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	CEO,GMIDS, MIA	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	CEO,GMIDS, MIA	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	CEO, GMIDS, MIA	
Schedule 2 Clause 5	duty to publish notice of declaration	CEO, GMIDS, MIA	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CEO, GMIDS, MIA, MIO	where council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CEO, GMIDS, MIA, MIO	where council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CEO, GMIDS, MIA, MIO	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CEO, GMIDS, MIA, MIO	where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CEO, GMIDS, MIA, MIO	where council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	CEO, GMIDS, MIA, CAD	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	CEO, GMIDS, MIA, CAD	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	CEO, GMIDS, MIA	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	CEO, GMIDS, MIA, CAD	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	CEO, GMIDS, MIA, CAD	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	CEO, GMIDS, MIA	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 16(8)	power to include consents and conditions	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	CEO, GMIDS, MIA, CAD	where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	CEO, GMIDS, MIA	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	CEO, GMIDS, MIA	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	CEO, GMIDS, MIA	where council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	CEO, GMIDS, MIA	where council is the responsible road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	CEO,GMIDS, MIA	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

CEMETERIES AND CREMATORIA REGULATIONS 2005			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.17	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	GMCCS, YCTS	
r.18(1)	power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	GMCCS, YCTS	
r.18(2)	duty to ensure any fittings removed of are disposed in an appropriate manner	GMCCS, YCTS	
r.19	power to dispose of any metal substance or non-human substance recovered from a cremator	GMCCS, YCTS	
r.20(2)	power to release cremated human remains to certain persons	GMCCS, YCTS	Subject to any order of a court
r.21(1)	duty to make cremated human remains available for collection within 2 working days after the cremation	GMCCS, YCTS	

CEMETERIES AND CREMATORIA REGULATIONS 2005			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.21(2)	duty to hold cremated human remains for at least 12 months from the date of cremation	GMCCS, YCTS	
r.21(3)	power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	GMCCS, YCTS	
r.21(4)	duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	GMCCS, YCTS	
r.22	duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	GMCCS, YCTS	
r.26	duty to provide statement that alternative vendors or supplier of monuments exist	GMCCS, YCTS	
r.36	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	GMCCS, YCTS	
r.38(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	GMCCS, YCTS	
Schedule 6, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 6	GMCCS, YCTS	
Schedule 6, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	GMCCS, YCTS	
Schedule 6, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	GMCCS, YCTS	

CEMETERIES AND CREMATORIA REGULATIONS 2005			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 6, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	GMCCS, YCTS	
Schedule 6, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	GMCCS, YCTS	
Schedule 6, clause 11(1)	power to remove objects from a memorial or place of interment	GMCCS, YCTS	
Schedule 6, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	GMCCS, YCTS	
Schedule 6, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	GMCCS, YCTS	
Schedule 6, clause 14	power to approve an animal to enter into or remain in a cemetery	GMCCS, YCTS	

PLANNING AND ENVIRONMENT REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.6	duty of responsible authority to provide copy of matter considered under section 60(1A)(g) for inspection free of charge	CEO, GMIDS, MDES	
r. 8	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	CEO, GMIDS, MDES, CSP	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.
r.22	power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	CEO, GMIDS, MDES	
r.40	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of an amendment to a planning scheme	CEO, GMIDS, MDES, CSP	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.
r.55	duty of responsible authority to tell Registrar of Titles under section 183 of the Act of the cancellation or amendment of an agreement	CEO, GMIDS, MDES	

PLANNING AND ENVIRONMENT (FEES) FURTHER INTERIM REGULATIONS 2013			
Note: these Regulations expire on 18 October 2014			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.16	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CEO, GMIDS, MDES	
r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	CEO, GMIDS, MDES	
r.18	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, GMIDS, MDES	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	MDES, EHO	
r.11	function of receiving application for registration	MDES, EHO	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	MDES	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	MDES	
r.13(4) & (5)	duty to issue certificate of registration	MDES	
r.15(1)	function of receiving notice of transfer of ownership	MDES	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15(3)	power to determine where notice of transfer is displayed	MDES	
r.16(1)	duty to transfer registration to new caravan park owner	MDES	
r.16(2)	duty to issue a certificate of transfer of registration	MDES	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	MDES	
r.18	duty to keep register of caravan parks	MDES	
r.19(4)	power to determine where the emergency contact person's details are displayed	MDES, EHO	
r.19(6)	power to determine where certain information is displayed	MDES, EHO	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	MDES, EHO	
r.22A(2)	duty to consult with relevant emergency services agencies	MDES, EHO	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	MDES, EHO	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	MDES, EHO	
r.25(3)	duty to consult with relevant floodplain management authority	MDES	
r.26	duty to have regard to any report of the relevant fire authority	MDES	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MDES	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MDES, EHO	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MDES	
r.40(4)	function of receiving installation certificate	MDES, EHO	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MDES	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	MDES, EHO	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.301(1)	duty to conduct reviews of road management plan	CEO, GMIDS, MIA, MIO	
r.302(2)	duty to give notice of review of road management plan	CEO, GMIDS, MIA, MIO	
r.302(5)	duty to produce written report of review of road management plan and make report available	CEO, GMIDS, MIA, MIO	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	CEO, GMIDS, MIA, MIO	
r.306(2)	duty to record on road management plan the substance and date of effect of amendment	CEO, GMIDS, MIA, MIO	
r.501(1)	power to issue permit	CEO, GMIDS, MIA, CAD	where council is the coordinating road authority
r.501(4)	power to charge fee for issuing permit under regulation 501(1)	CEO, GMIDS, MIA, CAD	where council is the coordinating road authority
r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	CEO, GMIDS, MIA	where council is the coordinating road authority
r.508(3)	power to make submission to Tribunal	CEO, GMIDS, MIA	where council is the coordinating road authority
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	CEO, GMIDS, MIA, MIO	where council is the responsible road authority
r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with regulation 509(3))	CEO, GMIDS	where council is the responsible road authority
r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	CEO, GMIDS, MIA, MIO, GMCCS	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.10	power to exempt a person from requirement under clause 13(1) of Schedule 7 to the Act to give notice as to the completion of those works	CEO, GMIDS, MIA	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.18(2)	power to waive whole or part of fee in certain circumstances	CEO, GMIDS, MIA	where council is the coordinating road authority

S11. Instrument of Appointment and Authorisation

Murrindindi Shire Council

Instrument of Appointment and Authorisation

Instrument of Appointment and Authorisation

In this instrument "officer" means -

- “**CLL**” means **Coordinator Local Laws – Andrew Daly**
- “**CSP**” means **Coordinator Statutory Planning – Karen Girvan**
- “**DMERO**” means **Deputy Municipal Emergency Resource Officers – Mark Leitinger & John Canny**
- “**EHO**” means **Environmental Health Officer – Natalie Stewart, Owen Robert Evans**
- “**GMCCS**” means **General Manager Corporate & Community Services – Michael Chesworth**
- “**GMIDS**” means **General Manager Infrastructure and Development Services – Tamara Johnson**
- “**LLO**” means **Local Laws Officer – Casey Southurst**
- “**MBS**” means **Municipal Building Surveyor – Robert Skinner**
- “**MDES**” means **Manager Development & Environmental Services – Matt Parsons**
- “**MERO**” means **Municipal Emergency Resource Officer – Matt Parsons**
- “**MIA**” means **Manager Infrastructure Assets – John Canny**
- “**MIO**” means **Manager Infrastructure Operations – Mark Leitinger**
- “**PO**” means **Planning Officer – Angelina Bell, Melissa Crane**
- “**SPO**” means **Strategic Planning Officer - Grant Scale**
- “**VAL**” means **Valuation Contractor – Marcus Hann, Oliver Boyd**

By this instrument of appointment and authorisation Murrindindi Shire Council -

PART A

1. under section 224 of *the Local Government Act 1989* - appoints the officers to be authorised officers for the administration and enforcement of -
 - the *Building Act 1993* [MDES, MBS, EHO]
 - the *Country Fire Authority Act 1958* [EHO, MDES, CLL, LLO]
 - the *Domestic Animals Act 1994* [MDES, CLL, LLO, EHO]
 - the *Emergency Management Act 1986* [MERO, DMERO]
 - the *Environment Protection Act 1970* [EHO, MDES, CLL, LLO]
 - the *Fire Services Property Levy Act 2012* [GMCCS]
 - the *Food Act 1984* [MDES, EHO]
 - the *Graffiti Prevention Act 2007* [MIA, MIO, MDES]

the <i>Housing Act</i> 1983	[MBS, MDES, EHO]
the <i>Impounding of Livestock Act</i> 1994	[MDES, CLL, LLO]
the <i>Liquor Control Reform Act</i> 1998	[MDES, EHO]
the <i>Local Government Act</i> 1989	[MDES, EHO, CLL, LLO]
the <i>Public Health and Wellbeing Act</i> 2008 ¹	[MDES, EHO]
Part 14 of the <i>Residential Tenancies Act</i> 1997	[MDES, EHO]
the <i>Road Management Act</i> 2004	[GMIDSS]
the <i>Road Safety Act</i> 1986	[GMIDSS, MDES, CLL, LLO]
the <i>Sex Work Act</i> 1994	[MDES, CSP]
the <i>Shop Trading Reform Act</i> 1996	[EHO, MDES, CLL, LLO]
the <i>Summary Offences Act</i> 1966	[EHO, MDES, CLL, LLO]
the <i>Tobacco Act</i> 1987 ²	[MDES, EHO]
the <i>Valuation of Land Act</i> 1960	[VAL]

the regulations made under each of those Acts
the local laws made under the *Local Government Act* 1989
and any other Act, regulation or local law which relates to the functions and powers of the Council;

PART B

2. under section 3 of the *Building Act* 1993 (**Building Act**), appoints the officer to be Municipal Building Surveyor for the purposes of the *Building Act* 1993.

[MBS]

AND/OR

3. under section 228(2) of the *Building Act* 1993 appoints the officers to be authorised persons for the purposes of the *Building Act* 1993.

[MBS, MDES, EHO]

-
4. under section 96A(1)(a) of the *Country Fire Authority Act* 1958 – appoints the officer to be the fire prevention officer.

[CLL]

AND

5. under section 96A(1)(b) of the *Country Fire Authority Act* 1958 – appoints the officers to be assistant fire prevention officers.

[MDES, LLO]

¹ Council only to appoint a person suitably qualified or trained under section 31(2).

² This Act provides for the CEO of a council to nominate a person to be an inspector for the purposes of the Act and the Secretary may then appoint them to be an inspector (see section 36). An environmental health officer appointed under the *Public Health and Wellbeing Act* 2008 is also regarded as an inspector under this Act.

6. under section 72 of the *Domestic Animals Act 1994* - appoints the officers to be authorised officers for the purposes of the *Domestic Animals Act 1994*.
[MDES, CLL, LLO]
-
7. under section 21 of the *Emergency Management Act 1986* – appoints the officer to be Municipal Emergency Resource Officer
[MERO, DMERO]
-
8. under section 4(1) of the *Environment Protection Act 1970* - appoints the officers to be litter enforcement officers for the purposes of the *Environment Protection Act 1970*.
[EHO, MDES, CLL, LLO]
- AND
9. under section 48A of the *Environment Protection Act 1970* – appoints the officers to be authorised officers for the purposes of section 48A.
[EHO, MDES, CLL, LLO]
-
10. under section 23 of the *Fire Services Property Levy Act 2012* – appoints the officers to be authorised officers for the purposes of the *Fire Services Property Levy Act 2012*³ .
[VAL]
-
11. for the purposes of 20 of the *Food Act 1984* = appoints the officers to be authorised officers for the purposes of the *Food Act 1984*⁴⁵
[MDES, EHO]
-
12. under section 19(1) of the *Graffiti Prevention Act 2007* – appoints the officers to be authorised persons for the purposes of carrying out Council’s functions under section 18⁶
[MIA, MIO, MDES, CLL]
-
13. under section 71(1) of the *Housing Act 1983* – appoints the officer to be an authorised person for the purposes of entering a house or building and conducting an inspection under section 71.
[MBS, MDES, EHO]
-
14. under section 190 of the *Land Act 1958* – authorises the officers for the purposes of section 190 of that Act.⁷
[MIA, MIO, MDES, CLL]
-

³ Persons appointed or authorised officers under the *Local Government Act 1989* are taken to be authorised officers for the purposes of the *Fire Services Property Levy Act 2012* (except in Part 4 of that Act)

⁴ Council must be satisfied that the person appointed is suitably qualified or trained to be an authorised officer.

⁵ Environmental Health Officers appointed under section 29 of the *Public Health and Wellbeing Act 2008* are regarded as an authorised officer for the purposes of the *Food Act 1984*.

⁶ Authorised person must agree in writing to exercise functions and powers of an authorised person under Part 4 of the *Graffiti Prevention Act 2007* and in accordance with any performance criteria determined by Council (see s.19(2)).

⁷ Authorisation requires the consent of the Minister (see section 190 of the *Land Act 1958*).

15. under section 29 of the *Public Health and Wellbeing Act 2008*, - appoints the officer to be the Environmental Health Officer⁸ for the purposes of enforcing the *Public Health and Wellbeing Act 2008* and the *Food Act 1984*.

[MDES, EHO]

AND/OR

16. under section 147(1)(b)(i) of the *Public Health and Wellbeing Act 2008*, - authorises the officer to issue immunisation status certificates under section 148 of the *Public Health and Wellbeing Act 2008*.

[MDES, EHO]

-
17. under section 525(2) of the *Residential Tenancies Act 1997* - appoints the officer to exercise the powers set out in section 526 of that Act.

[MDES, EHO]

-
18. under section 71(3) of the *Road Management Act 2004* – appoints the officers to be authorised officers for the purposes of the *Road Management Act 2004*.

[GMIDSS, MIA]

-
19. under section 59(1)(a)(ii) of the *Road Safety Act 1986* – authorises the officers to exercise the powers under section 59(1)(a) of that Act.

[GMIDS, MDES, CLL, LLO]

AND/OR

20. under section 59(1)(d) of the *Road Safety Act 1986* – authorises the officers to exercise the powers under section 59(1)(d) of that Act.

[GMIDS, MDES, CLL, LLO]

AND/OR

21. under section 77(5) of the *Road Safety Act 1986* – appoints the officers as an officer for the purposes of section 77(5) of that Act.

[GMIDS, MDES, CLL, LLO]

AND/OR

22. under section 87(1A) of the *Road Safety Act 1986* – authorises the officers to exercise the power in section 87(1A) of that Act.⁹

[GMIDS, MDES, CLL, LLO]

AND/OR

23. under section 87(1B)(c) of the *Road Safety Act 1986* – authorises the officers to exercise the power in section 87(1B)(c).

[GMIDS, MDES, CLL, LLO]

⁸ Council must be sure that the EHO is suitably trained or qualified under section 31(2) of the *Public Health and Wellbeing Act 2008*.

⁹ Council must ensure that a person appointed under section 87 is competent, of good repute and character and has agreed in writing to exercise the functions conferred on an authorised person (see section 87(1C))

AND/OR

24. under section 87(1E) of the *Road Safety Act* 1986 – authorises the officer to exercise the power in section 87(1E).

[GMIDS, MDES, CLL, LLO]

25. under regulation 84(c)(ii) of the *Road Safety (General) Regulations* 2009 – authorises the officers for the purposes of filing a charge or an offence under section 90E of the *Road Safety Act* 1986 or under a regulation under that Act.

[GMIDS, MDES, CLL, LLO]

26. under section 3(1) of the *Sex Work Act* 1994 - appoints the officer to be an authorised officer of the responsible authority for the purposes of enforcing Parts 4 and 5 of that Act.

[MDES, CSP]

27. under section 13DA(1) of the *Valuation of Land Act* 1960 – appoints the persons who are not members of Council's staff for the purposes of section 13DA of that Act.¹⁰

[VAL]

AND

28. under section 13J of the *Valuation of Land Act* 1960 – appoints the persons for the purposes of section 13J of that Act.¹¹

[VAL]

PART C

29. under -

section 232 of the *Local Government Act* 1989¹²

section 527 of the *Residential Tenancies Act* 1997

section 77(2)(b) of the *Road Safety Act* 1986¹³

section 77(4) of the *Road Safety Act* 1986 [only where Council is a Committee of Management under the *Crown Land (Reserves) Act* 1978]

sections 48A(9)(c) and 59(3) of the *Environment Protection Act* 1970

section 241 of the *Building Act* 1993

section 92 of the *Domestic Animals Act* 1994¹⁴

section 96 of the *Road Management Act* 2004

section 33A of the *Impounding of Livestock Act* 1994

section 10(4) of the *Graffiti Prevention Act* 2007

¹⁰ Council must ensure that the person appointed holds the qualifications or experience specified from time to time by the Minister by notice published in the Government Gazette.

¹¹ Council must ensure that the person appointed holds the qualifications or experience specified from time to time by the Minister by notice published in the Government Gazette.

¹² A person authorised under section 232 of the *Local Government Act* 1989 is also authorised to bring proceedings under the *Fire Services Property Levy Act* 2012 (see section 22 *Fire Services Property Levy Act* 2012).

¹³ A person authorised under sections 77(2)(b) and/or 77(4) of the *Road Safety Act* 1986 is also an authorised officer for the purposes of rules 203 and 307 of the *Road Safety Road Rules* 2009.

¹⁴ Council may only appoint an authorised officer who is also appointed under section 72 of the Act.

section 219 of the *Public Health and Wellbeing Act* 2008

section 45AC of the *Food Act* 1984

authorises the officers generally to institute proceedings and represent Council in proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this Instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This Instrument is authorised by a resolution of the Murrindindi Shire Council

DATED this day of 2013

THE COMMON SEAL OF THE MURRINDINDI)
 SHIRE COUNCIL was hereunto affixed in the)
 presence of:)

Chief Executive Officer

Councillor

S11A. Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Murrindindi Shire Council

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



Maddocks

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

In this instrument "officer" means -

- “CSP” means Coordinator Statutory Planning – Karen Girvan
- “MDES” means Manager Development & Environmental Services – Matt Parsons
- “PO” means Planning Officer – Angelina Bell, Melissa Crane
- “SPO” means Strategic Planning Officer - Grant Scale

By this instrument of appointment and authorisation Murrindindi Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

[MDES, CSP, PO]

2. under section 232 of the *Local Government Act 1989* authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

[MDES, CSP, PO]

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

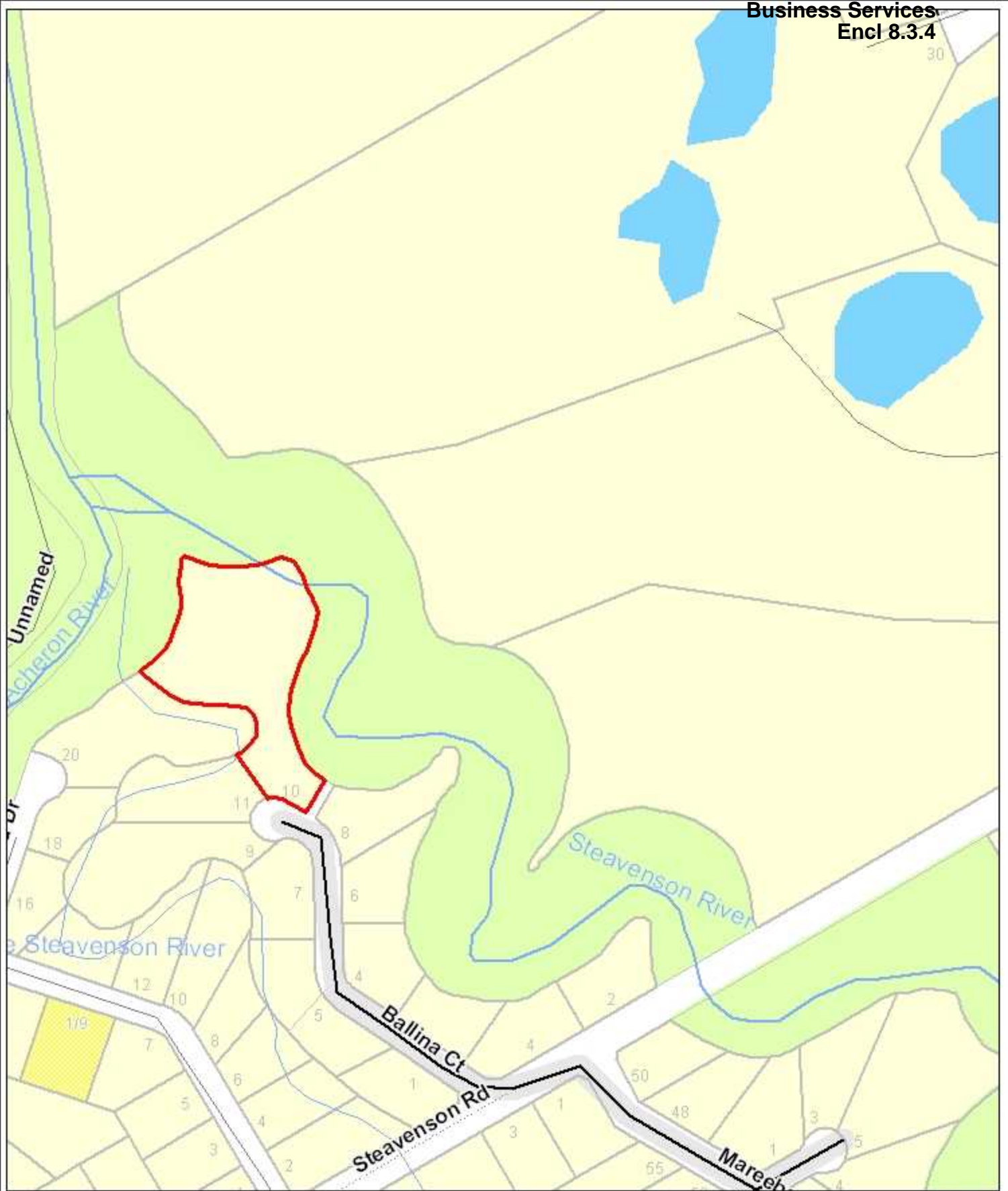
This instrument is authorised by a resolution of the Murrindindi Shire Council on

DATED this day of 2013

THE COMMON SEAL OF THE MURRINDINDI)
SHIRE COUNCIL was hereunto affixed in the)
presence of:)

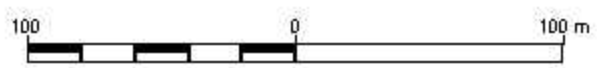
Chief Executive Officer

Councillor



Meeting of the Waters, Buxton

Printed 27/11/2013



Scale 1:2,813

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