

**2019.10.23 - AGENDA - ORDINARY COUNCIL MEETING - 23 OCTOBER 2019  
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# General Local Law 2014

(Amendment 1 of 2019)

# South Gippsland Shire Council

## General Local Law 2014 (Amendment 1 of 2019)

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## Part 1 – Preliminary

### 1. Title

This is the General Local Law 2014 (Amendment 1 of 2019).

### 2. Objectives

The objectives of this Local Law are to:

- (a) provide a safe and healthy environment in which the residents of the municipal district enjoy a quality of life that meets the general expectations of the community;
- (b) regulate and control activities which may be dangerous or unsafe or detrimental to the quality of life in the environment of the municipal district;
- (c) facilitate the provision of general public services, health and other community services, property services, recreational and cultural services, and other services in a way which enhances the environment and quality of life in the municipal district;
- (d) provide for the peace, order and good government of the municipal district;
- (e) provide for the administration of the Council's powers and functions; and
- (f) prescribe penalties for contravention of any provisions of this Local Law.

### 3. Power to make this Local Law

The Council's power to make this Local Law is contained in Part 5 of the Act and Part 3 of the *Domestic Animals Act 1994*.

### 4. Commencement

This Local Law commences on the day after which it is made.

### 5. Sunset provision

Unless sooner revoked, this Local Law will cease to operate on the 17 April 2024.

### 6. Revocation of Local Laws

The following local laws are revoked on the day this Local Law comes into operation –

- (a) General Local Law 2014.

## 7. Application of Local Law

This Local Law applies to and operates throughout the whole of the municipal district.

## 8. Precedence of other legislation

Anything allowed under any Act, Regulation or the planning scheme is not affected by any prohibition, requirement or restriction under this Local Law.

## 9. Definitions

In this Local Law -

<b>Act</b>	means the <i>Local Government Act 1989</i> ;
<b>authorised officer</b>	means any person appointed as an authorised officer for the purposes of this Local Law by the Council, pursuant to section 224 of the Act;
<b>built-up area</b>	means an area in which there is urban development, street lighting, or the authorised traffic speed limit is 60km/h or less on a road;
<b>bulk container</b>	means a bin, container or other structure designed or used for holding a substantial quantity of material and which is unlikely to be lifted without mechanical assistance, other than a container used in connection with the Council's regular domestic waste collections;
<b>bulk material</b>	means any substance placed on a road, other than a substance placed in connection with the Council's regular domestic waste collections;
<b>busking</b>	means playing a musical instrument, singing, conjuring, juggling, miming, mimicry, dancing, puppetry, performance art, recitation and other theatrical or visual activities which attract, or appear to be conducted to attract, a donation (and not a set fee);
<b>caravan</b>	means a moveable dwelling that is, or has been registered, under the <b>Road Safety Act 1986</b> ;
<b>Chief Executive</b>	means the staff member of the Council appointed to be its Chief Executive Officer;
<b>Council</b>	means South Gippsland Shire Council;
<b>Council land</b>	means land owned, vested in or under the control of the Council, including roads, streets, reserves, watercourses, reservations and the like;

<b>designated area</b>	means an area determined by the Council from time to time, and set out in a public notice and in a notice published in the <i>Government Gazette</i> , and details of which are set out in the register of determinations;
<b>domestic birds</b>	means small birds approximately no larger than 20cm in total length such as canaries, finches, budgerigars and the like;
<b>footpath</b>	means that part of a road used, or designed to be used, primarily by pedestrians;
<b>large birds</b>	means any bird above 20cm in total length such as a cockatoo, parrot and other similar sized bird but does not include poultry, pigeons or domestic birds;
<b>licensed premises</b>	means a premises for which a licence has been granted under the <i>Liquor Control Reform Act 1998</i> ;
<b>liquor</b>	means a beverage, or other prescribed substance, intended for human consumption with an alcoholic content greater than 0.5% by volume at a temperature of 20° Celsius;
<b>litter</b>	has the meaning ascribed to it by the <i>Environment Protection Act 1970</i> ;
<b>livestock</b>	has the meaning ascribed to it by the <i>Impounding of Livestock Act 1994</i> ;
<b>market</b>	means, in the context of livestock, a livestock saleyard;
<b>median strip</b>	means a longitudinal area separating traffic lanes on a road;
<b>motor vehicle</b>	has the meaning ascribed to it by the <i>Road Safety Act 1986</i> ;
<b>municipal district</b>	means the municipal district of the Council;
<b>nature strip</b>	means any part of a road not including the constructed traffic lanes or footpath;
<b>permit</b>	in relation to an activity, means a permit issued under this Local Law which authorises that activity;
<b>permit holder</b>	is the person to whom a permit has been issued under this Local Law;
<b>planning scheme</b>	means the Council's planning scheme under the <i>Planning and Environment Act 1987</i> ;



<b><i>procession</i></b>	means an organised group of people proceeding along a road or gathering for a ceremony or function and includes fun runs and bicycle events;
<b><i>public place</i></b>	means: <ul style="list-style-type: none"> <li>(a) a road; and/or</li> <li>(b) land which is owned, occupied or managed by the Council;</li> </ul>
<b><i>recreation vehicle</i></b>	means any mini bike, motor bike, four wheel motorbike, all-terrain vehicle, motor scooter, monkey bike, go-cart or other vehicle propelled by a motor and used or intended to be used for recreational purposes but excludes any motorised vehicle being used: <ul style="list-style-type: none"> <li>(a) for farming purposes or in connection with the general maintenance of the land; or</li> <li>(b) as a means of transport by a person who has a physical disability;</li> </ul>
<b><i>recyclable material</i></b>	means raw or processed material that can be recovered from a waste stream for reuse, other than where a separate Council, or Council authorised, collection service applies (e.g. scrap metal or battery recyclers);
<b><i>registered owner</i></b>	in relation to a vehicle, means the person who is recorded as the registered owner of the vehicle in the records kept by the Victorian Roads Corporation or the equivalent body in the State in which the vehicle is registered;
<b><i>reservation</i></b>	means anything constructed or located on a road which divides the road longitudinally, but excludes a line or series of lines marked on a carriageway;
<b><i>reserve</i></b>	means land owned, vested in or under the control of the Council that is used for recreational purposes;
<b><i>residential area</i></b>	means any part of the municipal district which is in a residential zone under the planning scheme;
<b><i>road</i></b>	means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles;
<b><i>Rubbish receptacle</i></b>	Means a device capable of containing construction site refuse, debris and any other waste material from leaving the site.
<b><i>sealed container</i></b>	means a container sealed at the time of manufacture;

<b>septic tank system</b>	has the meaning ascribed to it by Part IXB of the <i>Environment Protection Act 1970</i>
<b>sheep</b>	means any ram, ewe, lamb or wether;
<b>shopping trolley</b>	means a wheeled container or receptacle supplied by a retailer for enabling customers to transport goods;
<b>smog alert day</b>	means a day declared by the Environment Protection Authority as a smog alert day and which affects the municipal district;
<b>street</b>	means road;
<b>street festival</b>	means an organised recreational, cultural, commercial or social gathering of people which is held on a road;
<b>toy vehicle</b>	means a vehicle including a bicycle, a child's tricycle, scooter, skateboard, roller blades, roller skates and similar toys;
<b>vehicle</b>	has the meaning ascribed to it by the <i>Road Safety Act 1986</i> ;
<b>wasp</b>	includes an English or European wasp;
<b>waste</b>	has the meaning ascribed to it by the <i>Environment Protection Act 1970</i> ; and
<b>waste collection service</b>	means a service by which waste or recyclable materials are removed by way of a Council authorised scheduled collection service and may include a periodic service or event to remove green waste or hard waste.

## Part 2 – Community amenity, public health and safety

### 10. Dangerous land

An owner or occupier of land must not cause or allow the land to be:

- (a) kept in a manner which is dangerous or likely to cause danger to life or property; or
- (b) used without a permit for the storage of any substance which is dangerous or is likely to cause danger to life or property; or
- (c) in a condition determined by resolution of the Council from time to time to be dangerous or likely to cause danger to life or property and notified by the Council to the owner.

**11. Unsightly land**

An owner or occupier of land must not allow or permit the land to be kept in a manner which:

- (a) is unsightly or detrimental to the general amenity of the neighbourhood; or
- (b) harbours unconstrained rubbish; or
- (c) contains a disused excavation or waste material.

**12. Operation and maintenance of Domestic Wastewater Treatment Systems**

The owner of any occupied land which is unsewered, must ensure that –

- (a) a Domestic Wastewater Treatment System is in place and is operating effectively;
- (b) the Domestic Wastewater Treatment System is regularly inspected as required by Council;
- (c) when requested, written evidence is provided to Council for each inspection undertaken by a licensed plumber;
- (d) the Domestic Wastewater Treatment System is made available for inspection by an authorised officer;
- (e) the Domestic Wastewater Treatment System is maintained in accordance with the requirements of any Council approval or the Environmental Protection Authority Certificate of Approval issued for that system.

**13. Open air burning**

- (1) Without a permit, a person must not light or allow to be lit or remain alight, any fire in the open air or in an incinerator on any land within the Shire, excluding farming zoned land identified under the planning scheme.
- (2) Subclause (1) shall not apply to –
  - (a) a barbecue while being used for the purpose of cooking food; or
  - (b) a manufactured fireplace being used for the purpose of outdoor heating.
- (3) A person must not, without a permit, burn or cause to burn any offensive materials.

- (4) For the purpose of subclause (3), offensive materials include:
  - (a) any manufactured chemical;
  - (b) any rubber or plastic;
  - (c) any petroleum or oil;
  - (d) any paint or receptacle which contains or which contained paint;
  - (e) food waste, fish or other offensive or noxious matter; or
  - (f) any other material as determined by the Council by resolution from time to time.

#### **14. Recreation vehicles**

- (1) A person must not, without a permit, use, or allow to be used, a recreation vehicle on any Council land or reserve (other than any public highway or road) unless the Council land or reserve has been designated for that purpose.
- (2) A person must not use on private land, or allow to be used on private land, a recreation vehicle for non-commercial purposes on any land within the Shire, excluding farming zoned land identified under the planning scheme.
- (3) Despite subclause (2), without a permit, a person must not use on private land, or being the owner or occupier allow to be used on the land, a recreation vehicle for non-commercial purposes if the land is less than two hectares in area.
- (4) The use of recreation vehicles on Farming zoned land must not operate within 500m of General Residential zoned land.
- (5) Recreation vehicle noise/operation is restricted to the hours of 7am – 6pm weekdays and 9am – 1pm Saturdays.
- (6) No recreational vehicles are to operate on Sundays, unless permitted in writing by Council's Local Laws Officers.
- (7) The use of recreation vehicles on farming zoned land must be associated with a dwelling on the property.
- (8) The use of recreation vehicles on a property, must be in the presence of the landowner at all times.

#### **15. Camping**

- (1) A person must not, without a permit, camp in a public place in a tent or caravan unless they are within a caravan park registered under the *Residential Tenancies Act 1997* or an area

determined by the Council to be available for camping purposes.

- (2) A person must not, without a permit, camp or place a tent or caravan on any private vacant land.
- (3) A permit issued under subclause (2) is restricted to a maximum of one year's duration and must not be extended or renewed in respect of the same land.
- (4) Notwithstanding subclause (2), during the period 1 November to 1 May (inclusive) or school holiday periods, a person may camp or place a tent or caravan without a permit subject to the requirements set out in the Schedule to this Local Law.

### **Part 3 – Streets and Roads**

#### **16. Waste and recyclable material**

- (1) The occupier of land from which domestic or commercial waste is collected, must comply with Council's Waste Management Services Procedures which are incorporated by reference into this Local Law.
- (2) A person must not, unless authorised by Council, remove or interfere with waste or recyclable material left on a road for collection by Council, or at any other collection point.

#### **17. Transportation of waste**

A person must not convey or cause to be conveyed in any vehicle on any road any manure, dead animal or animal remains, offal, bones, hides, skins, offensive matter, refuse, rubbish or other waste matter unless the Vehicle is constructed, fitted, loaded and covered so that -

- (a) no leakage occurs or other material is dropped or deposited on any street or road or adjacent area from the vehicle; and
- (b) the possibility of escape of offensive odours is reduced.

#### **18. Drainage tapplings**

A person must not, without a permit, tap into or interfere with any drain under the control of the Council.

#### **19. Council signs**

A person must comply with any sign erected in a public place by the Council.

**20. Liquor**

- (1) A person must not, without a permit -
  - (a) consume any liquor on a road; or
  - (b) consume any liquor in any other public place between 10:00pm and sunrise; or
  - (c) have in his or her possession or control any liquor other than liquor in a sealed container on a road or any other public place between 10:00pm and sunrise.
- (2) Subclause (1) does not apply to a person who -
  - (a) is taking part in a public ceremony or event for which the Council has given its consent;
  - (b) is attending a private function at a public place which the Council leases or hires for private use; or
  - (c) has purchased liquor from a person who has a permit under subclause (1) and is consuming that liquor in an exempt area.

**21. Obstructions to pedestrians and vehicles**

A person who owns or occupies land must not allow –

- (a) any vegetation; or
- (b) a sign, post or other similar object –

on that land to obstruct or interfere with a person or vehicles passing by the land.

**22. Property numbers to be displayed**

For each property that has been allocated a property number by Council, the owner or occupier must clearly mark the property with the number allocated.

**23. Vehicle crossings**

The owner of land must ensure that:

- (a) each point of vehicular access from a carriageway on a road to the land has a vehicle crossing that is constructed and maintained in accordance with Council's current guidelines; and
- (b) any redundant vehicle crossing is removed where directed by an authorised officer.

**24. Leaving shopping trolleys**

A person must not leave a shopping trolley on any road or vacant land or cause or authorise another person to do so other than in a designated area or in a car park located –

- (a) between the municipal offices and the Safeway Store on Smith Street, Leongatha;
- (b) between Hyland Place, Church Street and Lyon Street, Leongatha; or
- (c) off South Railway Crescent and Mine Road, Korumburra known as the Festival Car Park.

**25. Use of toy vehicles**

- (1) A person must not use a toy vehicle in a designated area or on a footpath or road abutting land zoned 'Commercial 1' under the planning scheme.
- (2) This clause does not apply to –
  - (a) Australia Post employees or Victoria Police officers in the normal expiation of their duties; or
  - (b) a person whilst using a bicycle on a road.

**26. Riding horses on reservations and public reserves**

- (1) A person must not, without a permit, ride or lead a horse or cause or authorise another person to ride or lead a horse on a reservation in a built-up area or on any public reserve.
- (2) This clause does not apply to a public reserve which is signposted by the Council or another authority as being available for horse riding.
- (3) A person must not ride or lead a horse or cause or authorise another person to ride or lead a horse on a nature strip or median strip in a built-up area in a manner that causes damage to the nature strip or median strip.

**27. Parking in residential zones**

- (1) A person must not, without a permit, park, keep, store or repair, or authorise another person to keep, store or repair a vehicle longer than six metres (including a trailer and fittings) on a property or road in a residential area.
- (2) This clause does not apply in relation to a vehicle which is parked, kept, stored or repaired for less than two hours.

**28. Storage of fodder on roads**

A person must not place, keep, store or authorise another person to place, keep or store food for livestock on any road.

**29. Roadside trading**

- (1) A person must not, without a permit -
  - (a) erect or place on any road a vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services; or
  - (b) sell or offer to sell goods or services on a road.
- (2) A person must not, without a permit, sell or offer for sale any goods or services from a property or a public place adjacent to a road to any person who is on that road or public place.

**30. Locating signs and goods for sale**

A person must not, without a permit, place or display any goods for sale or a sign promoting the sale of any goods or services, or cause or permit another person under his or her control to do so on -

- (a) a footpath; or
- (b) any part of a carriageway designed for the use of passing vehicles; or
- (c) within 700mm of an area where vehicles may stand; or
- (d) any other part of a road.

**31. Outdoor eating facilities on roads**

A person must not, without a permit, establish an outdoor eating facility on any footpath or other part of a road.

**32. Placing bulk containers and materials**

A person must not place, or cause, or permit another person to place a bulk container or bulk material in any public place or road; without written Council approval.

**33. Repair of vehicles on roads**

A person must not dismantle, paint, carry out maintenance on or, except for the purpose of removing it, repair a vehicle on a road and a person must not permit or authorise another person to do so.



**34. Substances from vehicles**

A person must not permit any grease, oil, mud, clay or other substance to fall or run off a vehicle onto a road or into any drain on or under the road or permit, or authorise another person to do so.

**35. Washing of vehicles**

No person shall wash any vehicle on a street or road, or within a property, where the washing water will run onto the street or road.

**36. Collections**

- (1) A person must not, without a permit, solicit or collect any waste materials, gifts of money or subscriptions from any footpath or from house to house adjacent to any road or cause or authorise another person to do so.
- (2) Council may exempt any person or class of person involved in soliciting or collecting any waste materials, gifts of money or subscriptions from the need to obtain a permit.

**37. Street festivals and processions**

A person must not, without a permit, hold a street festival or procession on a road.

**38. Door to door trading**

- (1) A person must not, without a permit, go from house to house selling or offering to sell goods carried on the person or on any animal or on or in any movable conveyance.
- (2) The Council may exempt any person or class of person or any selling activity from the need to obtain a permit.
- (3) This clause does not apply to -
  - (a) the home delivery of newspapers or magazines; or
  - (b) the home delivery of goods purchased at any other location; or
  - (c) the home delivery of goods where such delivery has been requested by the occupier of the house.

**39. Busking and street entertainment**

A person must not, without a permit, busk on a road or in a public place.

**40. Noise in a public place**

- (1) A person must not, without a permit, in a public place -
  - (a) sound or play a musical or noise instrument; or
  - (b) sound, play, control, operate or use a loudspeaker, amplifier, microphone, wireless receiving set or broadcasting set or other like device capable of being used for making or amplifying sounds or noise; or
  - (c) shout or harangue.
- (2) Subclause (1) does not apply to -
  - (a) a device used in a manner and for a purpose permitted under the *Road Safety Act 1986*; or
  - (b) a warning which is reasonable in the circumstances; or
  - (c) an action on occupied land which is consistent with authority given by the occupier of that land; or
  - (d) sounds within a motor vehicle which cannot be heard outside the motor vehicle; or
  - (e) sound or noise conveyed through headphones which is not audible to a person other than the wearer of the headphones; or
  - (f) activities in any church, school, hall, theatre, market, auction room, licensed premises under the *Liquor Control Reform Act 1998* or sportsground conducted or undertaken with the approval of the occupier or person responsible for the management of such premises.

**Part 4 – Municipal places & people****41. Litter Bins**

A person must not place domestic, commercial or industrial waste in a litter bin or recycling bin provided in a Public Place by Council.

**42. Behaviour at municipal buildings and reserves**

A person must not -

- (a) interfere with another person's use and enjoyment of a municipal building or reserve; or
- (b) obstruct, hinder or interfere with the manager of a municipal building or reserve, or any employee or contractor of the

Council or any person employed at the municipal building or reserve in the normal exercise of their duties.

**43. Behaviour towards municipal employees**

A person must not -

- (a) abuse, harass, intimidate or threaten a municipal employee or contractor through any form of communication, be that electronic, written, verbal or physical.
- (b) obstruct, hinder or interfere with an authorised municipal employee or contractor from undertaking their normal duties as exercised under any relevant legislation to undertake that duty.

**44. Access to reserves**

A person must not enter a reserve on a day or during a time when it is closed to the public generally unless that person does so subject to any conditions relating to fee or entry condition authorised by the Council.

**45. Use of reserves**

- (1) A person must not, without a permit, do the following in a reserve -
  - (a) camp or pitch, erect or occupy any camp, tent or temporary shelter; or
  - (b) light any fire or permit any fire to remain alight unless in a fireplace provided by the Council; or
  - (c) ride, drive or otherwise use a recreational vehicle except in an area designated for that purpose; or
  - (d) hold a circus, carnival or fair; or
  - (e) conduct, organise, engage in, play or practise cricket, football, bowls, tennis, lacrosse, golf, archery or any like games or any competitive game that may interfere with the use and enjoyment of the reserve or any part thereof by another person; or
  - (f) sell, expose or offer for sale any article of food or drink or any other article or operate or cause to be operated any amusement for which a charge is made or collect money for any purpose; or
  - (g) ride or drive any horse, motorcar, motorcycle or other vehicle or any bicycle.
- (2) Subclause (1)(g) does not apply to -

- (a) any designated road or bicycle pathway; or
- (b) the parking of any motorcar, motorcycle, vehicle or bicycle in any parking area set aside for that purpose by the Council; or
- (c) the wheeling of bicycles, prams, wheelchairs, child or baby carriages and children's toys; or
- (d) the riding of a bicycle in such a manner that it does not interfere with the use or enjoyment of the reserve or any part of it by another person; or
- (e) any Council staff or contractors in the normal exercise of their duties.

#### **46. Taking of water**

A person must not remove water from any Council-owned reserve, dam, boat wash or fish cleaning facility within the Shire.

#### **47. Damage to Council property**

A person must not –

- (a) dump or discharge the contents of motor-home sewage cassettes into any toilet pan within the Shire, unless at a designated dump point.
- (b) cause wilful damage to any Council-owned building, road, infrastructure, reserve or property.

#### **48. Construction works**

- (1) An owner, contractor or supplier must not commence, authorise or allow anyone else to undertake construction works on the owners land unless the following conditions have been implemented to the satisfaction of Council:
  - (a) where an existing toilet connected to reticulated sewer does not exist at the works site, a closed portable toilet must be provided for the use of the persons visiting and or engaged in the works; and
  - (b) locate on the works site a rubbish receptacle for the purpose of containing all construction refuse until proper disposal.
  - (c) Ensure that any construction materials are stored in such a way that they do not result in a loss of amenity to the area.

- (2) All of the above conditions must be maintained to the satisfaction of Council for the duration of the construction works.
- (3) An owner, contractor or supplier must take every measure reasonable to reduce mud or other material being tracked on to Council's road reserve during the construction works.

### Part 5 – Animals and livestock

#### 49. Keeping animals

- (1) An owner or occupier of a property must not, without a permit, keep or allow to be kept any more in number for each kind of animal than as set out in the following table:

<i>Type of animal</i>	<i>Maximum no. of animals allowed in the farming zone as defined in the current planning scheme</i>	<i>Maximum no. of animals allowed in all other zones as defined in the current planning scheme</i>
<b>Dogs</b>	5	2
<b>Cats</b>	5	2
<b>Poultry</b> Hens, Ducks, Geese and Turkeys	No permit required	12
<b>Roosters</b>	No permit required.	<b>Permit Required</b> (Only if a member of the Victorian Bird Fanciers Association)
<b>Domestic birds</b>	No permit required	50
<b>Large birds</b>	No permit required	2
<b>Domestic mice</b>	No permit required	10
<b>Guinea pigs</b>	No permit required	2
<b>Domestic rabbits</b>	No permit required	2
<b>Horses/donkeys</b>	No permit required	Permit required
<b>Cattle</b>	No permit required	Permit required
<b>Sheep</b>	No permit required	Permit required
<b>Goats</b>	No permit required	Permit required
<b>Pigs</b>	5	Permit required
<b>Other agricultural animals</b>	No permit required	Permit required

- (2) Subclause (1) does not apply where a planning permit has been obtained for land used for the purposes of an animal shelter, animal boarding, animal breeding or animal keeping.

**50. Cat Curfew**

Cats must be kept within the property boundary of the registered owner at all times.

**51. Dog Leash Order**

Dogs must be kept on a leash at all times within all townships boundaries.

- (1) Townships are defined as being any General Residential, Commercial, Industrial, Business, Township, Mixed Use, Special Use or Public Use zoned land as indicated within the South Gippsland Shire Planning Scheme; or
- (2) areas with a speed limit of 60km/h and less.
- (3) Unless otherwise signed, Council-controlled parks and reserves will remain as off-leash areas.

**52. Animal housing**

- (1) The owner or occupier of any property on which animals are kept must provide housing which is adequate and appropriate in the circumstances, taking into consideration -
  - (a) the type of animals to be kept; and
  - (b) the height of the shelter; and
  - (c) the number of animals to be kept; and
  - (d) the capacity to maintain it in a sanitary and inoffensive condition; and
  - (e) the capacity to protect neighbours from noise from animals on the land; and
  - (f) any other relevant matters.
- (2) All animal housing must be maintained so that -
  - (a) all manure and other waste is removed and/or treated as often as necessary so that it does not cause a nuisance or offensive condition; and
  - (b) all manure and other waste is stored in a fly and vermin proof receptacle until removed from the premises or otherwise disposed of; and
  - (c) the ground surrounding the housing is satisfactorily drained; and

- (d) the area of land within three metres of the area or structure in which the animal is kept is free from dry grass, weeds, refuse, rubbish or other material capable of harbouring vermin; and
  - (e) all food, grain or chaff is kept in vermin proof receptacles; and
  - (f) the area where animals are kept is clean and in a sanitary condition.
- (3) A person who owns or occupies land must ensure that any structure on the land used for housing any animal is:
- (a) not less than six (6) metres from the frontage of the land; and
  - (b) not less than 1.2 metres from any boundary of the land; and
  - (c) not less than three (3) metres from any dwelling on adjoining land.

**53. Animal excrement**

- (1) A person in charge of an animal must not allow any part of the animal's excrement to remain on or in a public place.
- (2) A person in charge of an animal which litters in a public place must immediately collect and dispose of the litter in such a manner so as not to cause a nuisance to any other person.
- (3) A person whilst in charge of an animal in a public place must carry an effective device for the collection of the animal's excrement.

**54. Wasps' nests to be removed**

An owner or occupier of property who is aware that there is a wasp's nest on the property must take steps to cause it to be destroyed or removed.

**55. Fencing of land containing livestock**

An owner or occupier of land on which livestock are kept must ensure that the fencing of the land is adequate to prevent the escape of the livestock.

**56. Livestock on roads**

- (1) Without a permit a person who owns or is in charge of livestock must not cause or allow the droving or grazing of the livestock on a road for which Council is the relevant road authority.

- (2) In subclause (1) –
  - (a) “droving” means an individual driving of livestock, from one location to another, for the purpose of changing their grazing area or moving livestock from their grazing areas to a location for the purposes of sale or from a sale location to a grazing area but does not include movement of livestock. It also includes mere driving of livestock in or through the municipal district for the purpose of or including supplementing their feeding or taking them from or to a market; and
  - (b) “grazing” means causing livestock to enter and remain on a road for the purpose of grazing.
- (3) Subclause (1) does not apply to the movement of livestock from one property to another within the municipal district both of which are occupied by the owner of the livestock.

## **Part 6 – Permits**

### **57. Applying for a permit**

- (1) A person may apply for a permit by:
  - (a) lodging with the Council the approved application form; and
  - (b) paying the fee prescribed by Council.
- (2) The Council may require an applicant to –
  - (a) provide additional information before dealing with an application for a permit or for exemption; and
  - (b) give public notice which will entitle any person to make a written submission to the Council regarding the application.

### **58. Grant of permits**

The Council or an authorised officer may -

- (a) grant a permit;
- (b) grant a permit subject to conditions; or
- (c) refuse to grant a permit.



**59. Bonds**

- (1) In deciding to grant a permit, Council may require the applicant to lodge with Council a bond for such amount and in such a manner as Council deems reasonable in the circumstances.
- (2) If Council is required to remedy a breach of a permit or repair any damage caused by any work carried out under a permit, it may for that purpose, use part or all of any bond associated with that permit.
- (3) Where the bond or any part is used under subclause (2), the person to whom the permit was granted may be directed to replenish or increase the bond amount.
- (4) On satisfactory completion of any works under a permit, Council must release any applicable bond or remainder of the bond.
- (5) If after 12 months, Council cannot locate a person entitled to the release of any bond, Council may retain the bond and pay the money into its general revenue.

**60. Duration of permits**

- (1) A permit is in force until the expiry date indicated on the permit, unless it is cancelled before the expiry date.
- (2) If no expiry date is indicated on the permit, the permit expires on 30 June next after the day on which it is issued.

**61. Cancellation of a permit**

- (1) The Council or an authorised officer may cancel a permit if -
  - (a) there has been a breach of a condition of the permit; or
  - (b) a notice to comply has been issued and has not been complied with; or
  - (c) there was a significant error or misrepresentation in the application for the permit; or
  - (d) in the circumstances, the permit should be cancelled.
- (2) Before it cancels a permit, the Council or an authorised officer must, if practicable, provide to the permit holder an opportunity to make comment on the proposed cancellation.
- (3) If a permit holder is not the owner of the land and the owner's consent was required to be given to the application for the permit, the owner must be notified of any notice to comply and of the reason why it has been served.

**62. Correction of permits**

- (1) The Council or an authorised officer may correct a permit in relation to -
  - (a) an unintentional error or an omission; or
  - (b) an evident material miscalculation or an evident material mistake of description of a person, thing or property.
- (2) The Council must notify a permit holder in writing of any correction.
- (3) If the permit holder is not the owner of the land and the owner's consent was required to be given to the application for the permit, the owner must be notified of any correction to the permit.

**63. Exemptions**

- (1) The Council may by written notice exempt any person or class of persons from the requirement to have a permit, either generally or at specified times.
- (2) An exemption may be granted subject to conditions.
- (3) A person must comply with the conditions of an exemption.
- (4) An exemption may be cancelled as if it were a permit.

**Part 7 – Enforcement****64. Notice to comply**

The Council or an authorised officer may, by a written notice served on a person who appears to be in breach of this Local Law, direct that person to remedy any situation which constitutes a breach under this Local Law.

***Note – In addition to personal service, a notice can be validly served under this clause by sending the notice by prepaid mail addressed to the person's last known residential or business address.***

**65. Time to comply**

- (1) A notice to comply must state the time and date by which the situation must be remedied.
- (2) The time required by a notice to comply must be reasonable in the circumstances having regard to:
  - (a) the amount of work involved; and
  - (b) the degree of difficulty; and

- (c) the availability of necessary materials or other necessary items; and
- (d) climatic conditions; and
- (e) the degree of risk or potential risk; and
- (f) any other relevant factor.

**66. Power of authorised officers to act in urgent circumstances**

- (1) In urgent circumstances arising as a result of a failure to comply with this Local Law, an authorised officer may take action to remove, remedy or rectify a situation without first serving a notice to comply if:
  - (a) the authorised officer considers the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with the serving of a notice to comply, may place a person, animal, property or thing at risk or in danger; and
  - (b) wherever practicable, a senior officer is given prior notice of the proposed action.
- (2) In deciding whether circumstances are urgent, an authorised officer must consider, to the extent relevant:
  - (a) whether it is practicable to contact:
    - (i) the person by whose default, permission or sufferance the situation has arisen; or
    - (ii) the owner or the occupier of the affected premise or property; and
  - (b) whether there is an urgent risk or threat to public health, public safety, the environment or animal welfare.
- (3) The action taken by an authorised officer under subclause (1) must not extend beyond what is necessary to cause the immediate abatement of or minimise the risk or danger involved.
- (4) An authorised officer who takes action under subclause (1) must ensure that, as soon as practicable:
  - (a) details of the circumstances and remedying action are forwarded to the person on whose behalf the action was taken; and
  - (b) a report of the action taken is submitted to the Chief Executive Officer.

**67. Power of authorised officers to impound**

- (1) An authorised officer may impound any item that –
  - (a) encroaches or obstructs the use of a public place; or
  - (b) is not used or placed in accordance with a condition of a permit issued under this Local Law.
- (2) If an authorised officer has impounded anything in accordance with this Local Law, the Council may refuse to release it until the appropriate fee or charge for its release has been paid to the Council.
- (3) As soon as possible after the impounding and where practicable to do so, the authorised officer must serve written notice on the owner or person responsible for the item which has been impounded setting out the fees and charges payable and time by which the item must be retrieved.
- (4) If after the time required in a notice of impounding an impounded item is not retrieved, an authorised officer may take action to dispose of the impounded item according to the following principles:
  - (a) where the item has no saleable value, it may be disposed of in the most economical way; and
  - (b) where the item has some saleable value the item may be disposed of either by tender, public auction or private sale but failing sale may be disposed of in accordance with subparagraph (a).
- (5) When the identity or whereabouts of the owner or person responsible for the impounded item is unknown, the authorised officer must take reasonable steps to ascertain the identity or whereabouts of that person and may proceed to dispose of the impounded item in accordance with subclause (4) once he or she is satisfied that all reasonable efforts have been made to contact the owner or person responsible for the impounded item.
- (6) Any proceeds from the disposal of impounded items under this Local Law must be paid to the owner or to the person who, in the opinion of the Council, appears to be authorised to receive the money except for the reasonable costs incurred by the Council in the administration of this Local Law.
- (7) If a person described in subclause (6) cannot be identified or located within six months after the date of the notice of impounding, any proceeds of the sale cease to be payable to

that person, and may be retained by the Council for municipal purposes.

#### **68. Offences**

A person who:

- (a) contravenes or fails to comply with any provision of this Local Law including a document incorporated by reference;
- (b) contravenes or fails to comply with any condition contained in a permit issued under this Local Law;
- (c) contravenes or fails to comply with a notice to comply within the time specified in the notice to comply;
- (d) provides false information or makes a false representation when applying for a permit;
- (e) fails or refuses to comply with a sign erected by Council; or
- (f) refuses to comply with a direction given by an authorised officer or a person authorised under this Local Law –

is guilty of an offence and is liable to:

- (g) a penalty not exceeding **10 penalty units** for a first offence;
- (h) a penalty not exceeding **20 penalty units** for a second or subsequent offence.

#### **69. Infringement notices**

- (1) An authorised officer may issue an infringement notice in the form approved by Council as an alternative to prosecution for an offence.
- (2) The fixed penalty in respect of an infringement is –
  - (a) 2 penalty units; or
  - (b) 5 penalty units for an offence under clauses –
    - (i) 13 (open air burning);
    - (ii) 16 (waste and recyclable materials) where the offender is the occupier of a commercial premises; and
    - (iii) 29 (roadside trading).

## **Schedule 1**

### **Requirements for Camping on Private Land**

The following requirements must be met, to the satisfaction of the Council, prior to a tent or caravan being placed on private vacant land within the municipal district:

1. The maximum of three (3) tents or one (1) caravan, limited to immediate family members of the landowner are the only persons permitted to camp on private vacant land.
2. Any caravan must be fitted with a smoke detector, an approved portable fire extinguisher and a fire blanket close to cooking facilities.
3. Any tent or caravan must be in good working order and in a good state of repair.
4. Water must be supplied to the site and be fit for human consumption as well as adequate for domestic use.
5. An adequate number of sanitary conveniences must be provided on-site, and may be of the chemical (builder's type), septic or sewerage; or as approved by Council. All sewage and wastewater generated on-site must be discharged to a system capable of collecting, removing and/or disposing of all sewage and wastewater, to the satisfaction of the Council. This does not apply to sink waste where sink waste is the only form of effluent, providing it does not cause a nuisance.
6. A vermin-proof rubbish bin with a tight fitting lid must be provided on-site for the disposal of all rubbish.
7. The site must be kept in a clean and sanitary manner at all times.
8. Any tent or caravan must be located at least three metres from any property boundary.

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
<b>1 - Title</b>	This is the General Local Law 2014	<b>Replace with –</b> The General Local Law 2014 (Amendment 1 of 2019)	The title of the General Local Law will be updated to reflect the amendment.
<b>5 - Sunset Provision</b>	Unless sooner revoked, this Local Law will cease to operate on the tenth anniversary of its commencement	<b>Replace with –</b> Unless sooner revoked, this Local Law will cease to operate on 17 April 2024.	This clause was created when the adoption date of the original Local Law was unknown. It is now updated to specifically show the date the Local Law will cease to operate.
<b>6 - Revocation of Local Laws</b>	The following local laws are revoked on the day this Local Law comes into operation – (a) General Local Law No.1 (2005)	<b>Remove –</b> (a) General Local Law No.1 (2005) (b) Payment of Fees Local Law No.2. <b>Insert –</b> (a) General Local Law 2014	This is an amendment to reflect the General Local Law 2014 will no longer exist and is replaced by the General Local Law 2014 (Amendment 1 of 2019)
<b>9 - Definitions (built-up area)</b>	means an area in which there is urban development or in which street lighting is provided on a road	<b>Replace with –</b> means an area in which there is urban development, street lighting, or, the authorised traffic speed limit is 60km/h or less on a road.	The original wording was considered to be confusing for officers and the community to define. Officers have best tried to think of those areas in our community that would fit into the definition of “built up area”

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
			and have amended the definition to fit with these areas.
<b>9 – Definitions (caravan)</b>	means any mobile home, trailer or other vehicle capable of sleeping one or more persons	<b>Replace with –</b> means a moveable dwelling that is, or has been registered, under the <i>Road Safety Act 1986</i> ;	Greater clarification has been sought to what is defined as a caravan. This is to remove confusion with what would be defined as a “dwelling” under the <i>Building Code of Australia</i> or a structure for which a planning or building permit would be required. This definition is a direct copy of the definition found in the <i>Residential Tenancies (Caravan Parks and Mobile Dwellings Registration and Standards) Regulations 2010</i> . This is considered by officers as the best definition of what a caravan encompasses.
<b>9 – Definitions (domestic birds)</b>	means small birds such as canaries, finches, budgerigars and the like;	<b>Replace with –</b> means small birds approximately no larger than 20cm in total length such as	Under the current definition, there is no clear way for officers or the community to know of what birds are considered



List of Local Law Amendments			
Clause number	Current Wording	Proposed Wording	Explanation on amendment
		canaries, finches, budgerigars and the like	appropriate for our urban areas (i.e. 50 domestic birds & 2 large birds). As such, the type of birds have been defined by sizing as a way to reduce potential amenity impacts from the noise of larger birds.
<b>9 – Definitions (large birds)</b>	means any cockatoo, parrot and other similar sized bird but does not include poultry, pigeons or domestic birds	<b>Replace with –</b> means any bird above 20cm in total length such as a cockatoo, parrot and other similar sized bird but does not include poultry, pigeons or domestic birds	
<b>9 – Definitions (litter)</b>	has the meaning ascribed to by the <i>Environment Protection Act 1970</i> ;	<b>Insert missing word “it” –</b> has the meaning ascribed to <b>it</b> by the <i>Environment Protection Act 1970</i> ;	Grammatical correction.
<b>9 – Definitions (recyclable material)</b>	means material in respect of which a separate Council, or Council authorised, collection service applies;	<b>Replace with –</b> means material that can be recovered from a waste stream for reuse, other than whereby a separate Council or Council authorised collection service applies; (e.g. scrap metal or battery recyclers)	This definition has been amended to define those recyclable materials that our outside the normal materials recycled through Council’s waste collection services, whereas a person would be required to obtain a planning permit or EPA License. Such recyclable materials may be scrap metal,

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
			rubber tyres, e-waste or batteries.
<b>9 – Definitions (road)</b>	has the meaning ascribed to it by the Act and for which Council is the responsible road authority;	<b>Replace with –</b> means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles;	The original wording was considered to be confusing for officers and the community to define and has now been amended to reflect the definition as per the <i>Road Safety Act 1986</i> .
<b>9 – Definitions (waste)</b>	has the meaning ascribed to by the Environment Protection Act 1970; and	<b>Replace with –</b> has the meaning ascribed to it by the Environment Protection Act 1970;	Grammatical correction to add the word “it” and remove the word “and” from the end of the sentence.
<b>9 – Definitions (waste collection services)</b>	means a service by which waste or recyclable materials are removed by way of a scheduled collection service and may include a periodic service or event to remove green waste or hard waste.	<b>Replace with –</b> means a service by which waste or recyclable materials are removed by way of a Council authorised scheduled collection service and may include a periodic service or event to remove green waste or hard waste.	The proposed wording defines a waste collection service as only those that are Council authorised.

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
<b>12 – Septic Systems</b>	<p><b>Septic systems</b> The owner of land on which a septic tank system is installed, must -</p> <ul style="list-style-type: none"> <li>(a) ensure that the septic tank system is maintained in good working order at all times; and</li> <li>(b) for a septic tank system where a permit to install has not been issued pursuant to the <i>Environment Protection Act 1970</i> -                             <ul style="list-style-type: none"> <li>(i) ensure that sludge and scum are removed from the septic tank by a licensed contractor where directed by an authorised officer; and</li> <li>(ii) arrange for a licensed plumber to inspect and report on the operation of the septic tank system where directed by an authorised officer.</li> </ul> </li> </ul>	<p><b>Replace with –</b></p> <p><b>Operation and maintenance of Domestic Wastewater Treatment Systems</b> The owner of any occupied land which is unsewered, must ensure that –</p> <ul style="list-style-type: none"> <li>(a) a Domestic Wastewater Treatment System is in place and is operating effectively;</li> <li>(b) the Domestic Wastewater Treatment System is regularly inspected as required by Council;</li> <li>(c) when requested, written evidence is provided to Council for each inspection undertaken by a licensed plumber;</li> <li>(d) the Domestic Wastewater Treatment System is made available for inspection by an authorised officer;</li> </ul>	<p>The proposed wording better aligns the ongoing maintenance of Septic Systems with the intent of the Domestic Wastewater Management Plan and allows Council the ability to issue infringements for non-compliant septic systems.</p>

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
		(e) the Domestic Wastewater Treatment System is maintained in accordance with the requirements of any Council approval or the Environmental Protection Authority Certificate of Approval issued for that system.	
<b>13 – Storage of machinery or second-hand goods.</b>	A person must not, without a permit, use any land for the storage of machinery or second-hand goods of any kind or for the assembly or dismantling of such machinery or goods.	<b>Removal of clause from Local Law</b>	It is proposed that this clause be removed as it addressed by the planning scheme.
<b>14 – Open air burning</b>	(1) Without a permit, a person must not light or allow to be lit or remain alight, any fire in the open air or in an incinerator on land zoned under the planning scheme as - (a) Residential; (b) Township; (c) Low Density Residential; (d) Commercial 1; or	<b>Replace with –</b> (1) Excluding the CFA declared Fire Danger Periods; without a permit, a person must not light or allow to be lit or remain alight, any fire in the open air or in an incinerator on any land within the Shire,	The original wording was considered to be as it did not encompass all zones within the Shire. Through the internal consultation process and review of our customer requests for local laws, it was determined that the majority of complaints come from our fringe areas where farming zoned land has

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
	(e) Mixed Use.	excluding farming zoned land identified under the planning scheme.	changed to residential land in the last five years. It was then decided to remove all other zones as requiring permits to burn-off materials and make farming zoned land exempt.
<b>15 – Recreational vehicles (2)</b>	(2) A person must not use on private land, or being the owner or occupier allow to be used on the land, a recreation vehicle for non-commercial purposes if the land is zoned under the planning scheme as – (a) Residential; (b) Township; (c) Low Density Residential; (d) Commercial 1; (e) Mixed Use; (f) Rural Living; or (g) Rural Conservation.	<b>Replace with –</b> (2) A person must not use on private land, or allow to be used on private land, a recreation vehicle for non-commercial purposes on any land within the Shire, excluding farming zoned land identified under the planning scheme.	The current wording relating to the areas in Council applicable for recreational vehicles is considered to be confusing for officers to enforce and the community to define.
<b>15 – Recreational vehicles (4, 5, 6 &amp; 7)</b>	<b>Proposed new clauses</b>	<b>Insert new wording –</b> (4) The use of recreation vehicles on farming zoned land must not operate	Due to the number of complaints regarding recreation vehicles in the farming zone (namely motorbikes) it is proposed that tighter

List of Local Law Amendments			
Clause number	Current Wording	Proposed Wording	Explanation on amendment
		within 500m of General Residential Zoned land. (5) Recreation vehicle noise/operation is restricted to the hours of 7am – 6pm weekdays and 9am – 5pm Saturdays. (6) No recreational vehicles are to operate on Sundays, unless permitted in writing by Council’s Local Laws Officers. (7) The use of recreation vehicles on farming zoned land must be associated with a dwelling on the property. (8) The use of recreation vehicles on a property, must be in the presence of the landowner at all times.	restrictions are put in place on the use of these vehicles, whilst still allowing for adequate use from those whom seek to ride recreational vehicles on their land and protect the active rural lifestyle that South Gippsland offers.
<b>33 – Placing bulk containers and materials</b>	A person must not, without a permit, place or cause or permit another person to place a bulk container or bulk material on a road or other public place.	<b>Reword as follows–</b>  A person must not place, or cause, or permit another person to place a bulk	This clause is amended in response to a number of issues with persons obtaining the incorrect permits before undertaking works or events on

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
		container or bulk material in any public place or road; without written Council approval.	Council-owned or controlled land.
<b>42 – Litter bins</b>	A person must not place domestic, commercial or industrial waste in a litter bin or recycling bin provided in a Public Place by Council.	<b>Relocate</b> this clause to be located under <b>Part 4 – Municipal places and people</b>	This change is only a reorganisation of the clause to fit within the relevant section of the Local Law.
<b>Part 4 – Municipal places</b>	Part 4 – Municipal places	<b>Insert wording “&amp; people” – Part 4 – Municipal places &amp; people</b>	This heading has been amended to reflect the insertion of new clauses that reflect behaviour towards Council employees or contractors.
<b>43 – Behaviour towards municipal employees</b>	<b>Proposed new clauses</b>	<b>Insert new wording –</b>  <b>43 Behaviour towards municipal employees</b> A person must not - (a) abuse, harass, intimidate or threaten or assault a municipal employee or contractor through any form of communication, be that	Due to numerous incidents relating to unacceptable behaviour towards Council staff since the implementation of the General Local Law 2014; it is proposed to allow officers the ability to issue infringement notices to assist in controlling behaviours that Council will no longer tolerate towards its employees.

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
		electronic, written, verbal or physical. (b) obstruct, hinder or interfere with an authorised municipal employee or contractor from undertaking their normal duties as exercised under any relevant legislation to undertake that duty.	This is similar to the changes that have been made by the State Government in relation to emergency services officers, under s51 of the <i>Summary Offences Act 1966</i> .
<b>46 – Taking of water</b>	<b>Proposed new clause</b>	<b>Insert new wording – 46 Taking of water</b> A person must not remove water from any Council-owned reserve, dam, boat wash or fish cleaning facility within the Shire.	Council’s engineering and property teams have reported a number of incidents of persons taking non-potable water from reserves or boat ramps to use for drinking purposes.
<b>47 – Damage to Council property</b>	<b>Proposed new clauses</b>	<b>Insert new wording – 47 Damage to Council property</b> A person must not – (a) dump or discharge into any toilet pan within Shire facilities, any substance or	Council’s property team have stated that if this issue is not dealt with we risk the failure / destruction of the recently completed septic system and associated effluent field at Franklin River camping ground,



<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
		<p>material likely to cause damage or affect functioning of wastewater infrastructure, (e.g. motor home sewage cassettes).</p> <p>(b) cause wilful damage to any Council-owned building, road, infrastructure, reserve or property.</p>	<p>which could cost council tens of thousands of dollars, thus the importance of implementing a new local law as a deterrent. This is one recent example of damage to Council property.</p>
<b>48 – Construction works</b>	<b>Proposed new clauses</b>	<p><b>Insert new wording –</b></p> <p><b>48. Construction works</b></p> <p>(1) An owner, contractor or supplier must not commence, authorise or allow anyone else to undertake construction works on the owners land unless the following conditions have been implemented to the satisfaction of Council:</p> <p>(a) where an existing toilet connected to reticulated sewer does not exist at the works site, a closed portable</p>	<p>The recent extreme weather events throughout the Shire has resulted in a number of construction sites becoming unsightly and impacting on the amenity of the surrounding area. Whilst we do have the provision under the local law to issue notices for unsightly land, this is focused on owners being responsible for maintaining their property.</p> <p>The difference with this local law is to focus on the companies or operators that leave waste material or building supplies on a site that cause damage or</p>

List of Local Law Amendments			
Clause number	Current Wording	Proposed Wording	Explanation on amendment
		toilet must be provided for the use of the persons visiting and or engaged in the works; and (b) locate on the works site a rubbish receptacle for the purpose of containing all construction refuse until proper disposal. (c) Ensure that any construction materials are stored in such a way that they do not result in a loss of amenity to the area. (2) All of the above conditions must be maintained to the satisfaction of Council for the duration of the construction works. (3) An owner, contractor or supplier must take every measure reasonable to reduce mud or other material being tracked on	place litter on surrounding properties.

List of Local Law Amendments			
Clause number	Current Wording	Proposed Wording	Explanation on amendment
		to Council’s road reserve during the construction works.	
<b>46 – Keeping animals</b>	<p><b>46 – Keeping animals</b> There is a table under this section that describes each type of animal and the number of allowed within certain zones.</p>	<p><b>Replace with –</b> <b>49 – Keeping animals</b> (refer to <b>Table 1</b> at the end of this list of amendments for full details). The proposed amendments to this table include greater clarity in defining the zoning of land, the number of animals, removing N/A and replacing it with “no permit required”.</p>	<p>The original wording was considered to be confusing for officers and the community to define where appropriate numbers of animals could be kept. As such, the correct zones have been reflected in the table and clearer wording around when a permit is required and when certain animals are prohibited. Furthermore, due to the issue of large numbers of dogs being kept on farming properties, causing impacts on the amenity of neighbouring properties and not requiring a permit, it is difficult to regulate these properties. As such, requiring a permit for excess animals on these properties will allow Council to ensure the animals are being</p>

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
			kept in a manner that does not change the use of the land.
<b>51 – Cat Curfew</b>	<b>Proposed new Clause</b>	<b>Insert wording – 50. - Cat Curfew</b> Cats must be kept within the property boundary of the registered owner at all times.	This is a new clause to implement the introduction of the cat curfew into the Local Law.
<b>52 – Dog Leash Order</b>	<b>Proposed new Clause</b>	<b>Insert wording – 51. Dog Leash Order</b> Dogs must be kept on a leash at all times within all townships boundaries. (1) Townships are defined as being any General Residential, Commercial, Industrial, Business, Township, Mixed Use, Special Use or Public Use zoned land as indicated within the South Gippsland Shire Planning Scheme; or (2) areas with a speed limit of 60km/h and less. (3) Unless otherwise signed, Council-controlled parks	This is a new clause to implement the introduction of the dogs on leash controls into the Local Law.

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
		and reserves will remain as off-leash areas.	
<b>47 – Animal housing</b>	<p><b>47 – Animal housing</b></p> <p>(1) The owner or occupier of any property on which animals are kept must provide housing which is adequate and appropriate in the circumstances, taking into consideration -</p> <ul style="list-style-type: none"> <li>(a) the type of animals to be kept; and</li> <li>(b) the height of the shelter; and</li> <li>(c) the number of animals to be kept; and</li> <li>(d) the capacity to maintain it in a sanitary and inoffensive condition; and</li> <li>(e) the capacity to protect neighbours from noise from animals on the land; and</li> <li>(f) any other relevant matters.</li> </ul> <p>(2) All animal housing must be maintained so that -</p> <ul style="list-style-type: none"> <li>(a) all manure and other waste is removed and/or treated as often as necessary so that it</li> </ul>	<p><b>Insert wording &amp; renumber – 52 – Animal housing</b></p> <p>(3) A person who owns or occupies land must ensure that any structure on the land used for housing any animal is:</p> <ul style="list-style-type: none"> <li>(a) not less than six (6) metres from the frontage of the land; and</li> <li>(b) not less than 1.2 metres from any boundary of the land; and</li> <li>(c) not less than three (3) metres from any dwelling on adjoining land.</li> </ul>	In relation to complaints received about dog kennels on boundary fences causing nuisance to neighbours, additional provisions have been made to ensure that kennels are located a specified distance from boundary fences.

<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
	<p>does not cause a nuisance or offensive condition; and</p> <p>(b)all manure and other waste is stored in a fly and vermin proof receptacle until removed from the premises or otherwise disposed of; and</p> <p>(c) the ground surrounding the housing is satisfactorily drained; and</p> <p>(d)the area of land within three metres of the area or structure in which the animal is kept is free from dry grass, weeds, refuse, rubbish or other material capable of harbouring vermin; and</p> <p>(e)all food, grain or chaff is kept in vermin proof receptacles; and</p> <p>(f) the area where animals are kept is clean and in a sanitary condition.</p>		
<b>59 – Notice to comply</b>	<p><b>59 – Notice to comply</b> The Council or an authorised officer may, by a written notice served on a</p>	<p><b>Replace wording – “clause 58” with “this clause”.</b></p>	<p>This clause has been amended to remove specific reference to the clause number and allow greater</p>

List of Local Law Amendments			
Clause number	Current Wording	Proposed Wording	Explanation on amendment
	<p>person who appears to be in breach of this Local Law, direct that person to remedy any situation which constitutes a breach under this Local Law.</p> <p><b>Note – In addition to personal service, a notice can be validly served under clause 58 by sending the notice by prepaid mail addressed to the person’s last known residential or business address.</b></p>	<p><b>64 – Notice to comply</b> The Council or an authorised officer may, by a written notice served on a person who appears to be in breach of this Local Law, direct that person to remedy any situation which constitutes a breach under this Local Law.</p> <p>Note – In addition to personal service, a notice can be validly served under this clause by sending the notice by prepaid mail addressed to the person’s last known residential or business address.</p>	flexibility when providing future amendments to the Local Law.
<b>64 – Infringement notices (2)(b)</b>	<p>(2)(b) 5 penalty units for an offence under clauses –</p> <p>(i) 14 (open air burning);</p> <p>(ii) 17 (waste and recyclable materials) where the offender is the occupier of a commercial premises;</p> <p>and</p> <p>(iii) 30 (unauthorised roadside trading).</p>	<p><b>Amend wording and renumber –</b></p> <p><b>69 Infringement notices</b> <b>Insert</b> new numbering “<b>13</b>”, “<b>16</b>” &amp; “<b>29</b>”; and <b>delete</b> word “<b>unauthorised</b>”.</p> <p>(2)(b) 5 penalty units for an offence under clauses –</p> <p>(i) <b>13</b> (open air burning);</p>	This clause is amended to reflect the new numbering order of the Local Law and the relevant clauses.

List of Local Law Amendments			
Clause number	Current Wording	Proposed Wording	Explanation on amendment
		(ii) <b>16</b> (waste and recyclable materials) where the offender is the occupier of a commercial premises; and (iii) <b>29</b> (roadside trading).	
<b>Schedule Point 1.</b>	1. A maximum of one tent <b>or</b> one caravan is permitted on private vacant land at any time.	<b>Replace with –</b> 1. The maximum of three (3) tents or one (1) caravan, limited to immediate family members of the landowner are the only persons permitted to camp on private vacant land.	There has been a number of complaints about there being more than one tent on a property. This is a difficult issue for Local Laws Officers to enforce, as it would often be the one family camping on the property in a number of tents.  As such, the numbers of tents are limited to three tents or one caravans to focus on immediate family on the property. Extended families or friends may cause additional impacts on the surrounding properties, which was the original intent of the



<b>List of Local Law Amendments</b>			
<b>Clause number</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Explanation on amendment</b>
			<p>Schedule 1 for camping on private land.</p> <p>Any number of people in excess of the Local Law Schedule 1, will require a permit from Council, consenting to this increase in persons.</p>
<b>Schedule Point 5.</b>	<p>5. An adequate number of sanitary conveniences must be provided on-site, and may be of the chemical (builder’s type), composting, septic or sewerred type.</p>	<p><b>Remove word – “composting”</b>  <b>Insert wording – “or as approved by Council”</b>                      5. An adequate number of sanitary conveniences must be provided on-site, and may be of the chemical (builder’s type), septic or sewerred type, <b>or as approved by Council.</b></p>	<p>Composting wastewater systems are not an acceptable outcome for dealing with waste and are therefore removed from the Schedule. The additional wording “or as approved by Council” allows greater flexibility in “approved” systems if a new concept for wastewater appears on the market, or is accepted by the Environmental Protection Authority.</p>
<b>General changes</b>	<p><b>64 Clauses</b> in the current General Local Law 2014.</p>	<p><b>Amend</b> the General Local Law 2014 to contain a total of <b>70 Clauses</b> and <b>renumber</b> the existing Clauses accordingly.</p>	

Table 1

**46 – Keeping animals**

- (1) An owner or occupier of a property must not, without a permit, keep or allow to be kept any more in number for each kind of animal than as set out in the following table:

<i>Type of animal</i>	<i>Maximum no. of animals allowed in the farming zone as defined in the current planning scheme</i>	<i>Maximum no. of animals allowed in all other zones as defined in the current planning scheme</i>
<b>Dogs</b>	4	2
<b>Cats</b>	4	2
<b>Hens, Ducks, Geese and Turkeys</b>	No permit required	12
<b>Roosters</b>	No permit required	Permit Required (Only if a member of the Victorian Bird Fanciers Association)
<b>Domestic birds</b>	No permit required	50
<b>Large birds</b>	No permit required	2
<b>Domestic mice</b>	No permit required	10
<b>Guinea pigs</b>	No permit required	2


<i>Type of animal</i>	<i>Maximum no. of animals allowed in the farming zone as defined in the current planning scheme</i>	<i>Maximum no. of animals allowed in all other zones as defined in the current planning scheme</i>
<b>Domestic rabbits</b>	No permit required	2
<b>Horses/donkeys</b>	No permit required	Permit Required
<b>Cattle</b>	No permit required	Permit Required
<b>Sheep</b>	No permit required	Permit Required
<b>Goats</b>	No permit required	Permit Required
<b>Pigs</b>	4	Permit Required
<b>Other agricultural animals</b>	No permit required	Permit Required

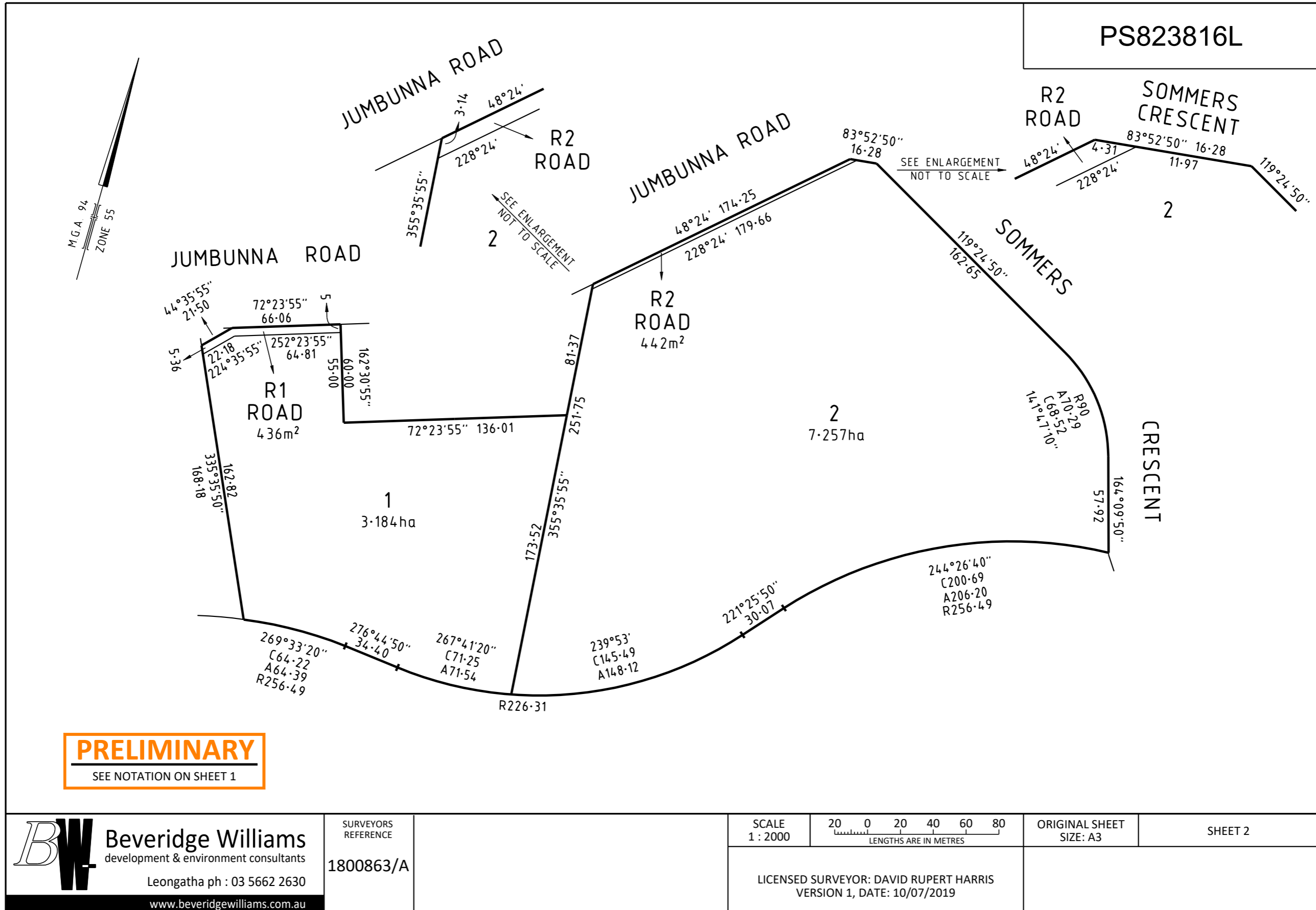
Community Consultation Schedule – General Local Law Amendment 1 of 2019		
Action	Responsibility	Date/s
<b>Council adoption to proceed:</b> Proposed Local Law No.1 Amendments	Ordinary Council Meeting	23 October 2019
<b>Public Exhibition:</b> Government Gazette	Manager: Regulatory Services	31 October 2019
<b>Commence Public Consultation</b>		31 October 2019
<b>Facebook Promotion:</b> (Weekly posts (9 in total) during the full consultation period of 66 days)	Communications & Coordinator Local Laws	<b>First Post:</b> 31 October 2019 <b>Last Post:</b> 10 January 2020
<b>Website Promotion:</b> (Provide links to Local Law Amendments & “Have Your Say” portal for comments/submissions).	Communications & Coordinator Local Laws	<b>Open:</b> 31 October 2019 <b>Close:</b> 10 January 2020
<b>Community 55+ Newsletter:</b> (Provide links to Local Law Amendments & “Have Your Say” portal for comments/submissions).	Communications & Coordinator Local Laws	October 2019
<b>Weekly newspaper advertising on Council’s Community Noticeboard:</b> (Proposed Local Law No.1 Amendments – links to website and Have Your Say).	Communications & Coordinator Local Laws	<b>Open:</b> 31 October 2019 <b>Close:</b> 10 January 2020
<b>Distribute Hard Copies at all Libraries, Offices and Visitor Information Centres:</b> (Provide a copy of the existing Local Law, the proposed amendments, submission forms and box for hard copy submissions).	Local Laws Officers	<b>Open:</b> 31 October 2019 <b>Close:</b> 10 January 2020
<b>Community Meetings:</b>		
<b>Korumburra Towns &amp; Districts Association Meeting</b> (Presentation / Q&A)	Manager: Regulatory Services	29 October 2019
<b>Kongwak Market</b> (Stall)	Manager: Regulatory Services	2 November 2019

Last updated 20 September 2019

<b>Community Consultation Schedule – General Local Law Amendment 1 of 2019</b>		
<b>Action</b>	<b>Responsibility</b>	<b>Date/s</b>
<b>Dumbalk Community Forum (Dumbalk Hall)</b> (Presentation / Q&A)	Manager: Regulatory Services	12 November 2019
<b>South Central Cluster Meeting (Yanakie Hall)</b> (Presentation / Q&A)	Manager: Regulatory Services	14 November 2019
<b>Eastern District Cluster Meeting (Toora Community Hall)</b> (Presentation / Q&A)	Manager: Regulatory Services	21 November 2019
<b>Mens Shed Group Meeting</b> (Presentation / Q&A)	Manager: Regulatory Services	November/December (TBA)

Last updated 20 September 2019

<b>PLAN OF SUBDIVISION</b> UNDER SECTION 35 OF THE SUBDIVISION ACT 1988		EDITION 1	<b>PS823816L</b>	
<b>LOCATION OF LAND</b>		SOUTH GIPPSLAND SHIRE COUNCIL		
<b>PARISH:</b>	<b>KORUMBURRA</b>			
<b>TOWNSHIP:</b>	—			
<b>SECTION:</b>	—			
<b>CROWN ALLOTMENT:</b>	<b>90(PART)</b>			
<b>CROWN PORTION:</b>	—			
<b>TITLE REFERENCE:</b>	<b>VOL. 9472 FOL. 481</b> <b>VOL. 9472 FOL. 482</b>			
<b>LAST PLAN REFERENCE:</b>	<b>LP139824 (LOT 2)</b> <b>LP135303 (LOT 4)</b>			
<b>POSTAL ADDRESS:</b> (at time of subdivision)	<b>121 JUMBUNNA ROAD</b> <b>KORUMBURRA 3950</b>			
<b>MGA CO-ORDINATES:</b> (of approx centre of land in plan)	E: 396 100 N: 5 744 300	ZONE: 55 GDA 94		
<b>VESTING OF ROADS AND/OR RESERVES</b>		<b>NOTATIONS</b>		
ROADS AND RESERVES VEST IN THE COUNCIL/BODY/PERSON NAMED WHEN THE APPROPRIATE VESTING DATE IS RECORDED OR TRANSFER REGISTERED. ONLY ROADS AND RESERVES MARKED THUS (%) VEST UPON REGISTRATION OF THIS PLAN.		<p><b>ALL THE LAND IS TO BE ACQUIRED FREE FROM ALL ENCUMBRANCES OTHER THAN ANY EASEMENTS SPECIFIED ON THIS PLAN.</b></p> <p><b>LAND TO BE ACQUIRED BY COMPULSORY PROCESS : ROAD R1 AND R2</b></p> <p><b>LAND TO BE ACQUIRED BY AGREEMENT: NIL</b></p>		
IDENTIFIER	COUNCIL/BODY/PERSON			
ROAD R1 ROAD R2	SOUTH GIPPSLAND SHIRE COUNCIL SOUTH GIPPSLAND SHIRE COUNCIL			
<b>NOTATIONS</b>		<div style="border: 2px solid orange; padding: 5px; text-align: center;"> <p><b>PRELIMINARY</b></p> <p>THIS PLAN IS SUBJECT TO APPROVAL FROM THE RELEVANT AUTHORITIES. LOT BOUNDARIES, EASEMENTS, RESERVES AND RESTRICTIONS MAY BE AMENDED OR ADDED TO THIS PLAN.</p> </div>		
<b>DEPTH LIMITATION: DOES NOT APPLY</b>				
<b>SURVEY:</b> This plan is based on survey.				
<b>STAGING:</b> This is not a staged subdivision. Planning Permit No. —				
This survey has been connected to permanent marks No(s). —				
In Proclaimed Survey Area No. —				
<b>EASEMENT INFORMATION</b>				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
EASEMENTS MARKED ( - ) ARE EXISTING EASEMENTS. EASEMENTS MARKED ( + ) ARE CREATED UPON REGISTRATION OF THIS PLAN. EASEMENTS MARKED ( * ) ARE CREATED WHEN THE APPROPRIATE VESTING DATE IS RECORDED OR TRANSFER REGISTERED. EASEMENTS MARKED ( # ) ARE REMOVED WHEN THE APPROPRIATE VESTING DATE IS RECORDED OR TRANSFER REGISTERED.				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
—	—	—	—	—
 <b>Beveridge Williams</b> development & environment consultants Leongatha ph : 03 5662 2630 www.beveridgewilliams.com.au		SURVEYORS FILE REF: 1800863/A 1800863_A PSUB.dwg		ORIGINAL SHEET SIZE: A3 SHEET 1 OF 3
		LICENSED SURVEYOR: DAVID RUPERT HARRIS VERSION 1, DATE: 10/07/2019		




PS823816L

**VESTING DATES & TRANSFER REGISTRATION DATES OF ACQUIRED LAND**

Land affected	Land acquired by compulsory process			Land acquired by agreement	LRS reference	Assistant Registrar of Titles  Signature	
	Vesting date	Government Gazette		Date of recording of vesting			Date of registration of transfer
		Page	Year				
ROAD R1 ROAD R2				— —			

**PRELIMINARY**  
SEE NOTATION ON SHEET 1

 <p><b>Beveridge Williams</b> development &amp; environment consultants Leongatha ph : 03 5662 2630 www.beveridgewilliams.com.au</p>	SURVEYORS REF 1800863/A		ORIGINAL SHEET SIZE: A3	SHEET 3
	LICENSED SURVEYOR: DAVID RUPERT HARRIS VERSION 1, DATE: 10/07/2019			





South Gippsland Shire Council

## WASTEWATER MANAGEMENT POLICY

Policy Number	C78	Directorate	Development Services
Council Meeting Date	23 October 2019	Department	Environmental Health
Review Date	October 2023	Primary Author	Environmental Health Coordinator

COUNCIL POLICY

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### 1. POLICY OBJECTIVE

*Wastewater Management Policy (C78)* (the Policy) sets out how Council will manage the approval of prospective septic tank systems and the ongoing monitoring and management of existing systems.

### 2. POLICY SCOPE

The Policy applies to all wastewater generated within South Gippsland Shire, other than wastewater disposed to:

- The sewer network; and
- Wastewater systems designed to discharge more than 5,000L of sewage per day.

### 3. POLICY STATEMENT

#### 3.1 Background

The *Municipal Domestic Wastewater Management Plan* provides Shire wide direction on the management of wastewater, this policy adds further interpretation and clarification.

All decision making on wastewater management will be made with a primary focus on protecting public health and the environment. The aim of effective wastewater management is to enable use of land while also ensuring legal requirements are met.

The Policy includes specific situations in which non-compliance with current standards may be considered acceptable, where it creates a better public health or environmental outcome. The resulting system must be as close as possible to the requirements of this Policy, as determined by Council staff, irrespective of potential cost. This may be achieved through (where appropriate):

- Relocation of system
- Additional secondary treatment processes
- Increase in treatment field size (land area)

#### 3.2 Connection to a Sewer Network

Council will continue to encourage the expansion of the sewer network and connection of properties to that network throughout the Shire.

Where *South Gippsland Water* and *Gippsland Water* consider sewer connection to be available, Council will:

- Require new constructions to connect to the sewer network
- Require existing septic tank systems be decommissioned and the property connect to the sewer network if the system:
  - Poses an increased risk to public health or the environment
  - Would otherwise need to be modified or upgraded.

#### 3.3 Existing Septic Tank Systems

*Wastewater Management Policy*  
Version 1.0

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The management of existing septic tank systems will be in accordance with the adopted *Municipal Domestic Wastewater Management Plan*, the principles of which are:

- a. Education: increasing knowledge of the importance of effective management of septic tank systems, and the impacts of poorly performing systems
- b. Data Improvement: continuously review Councils records of septic tank systems to ensure they are accurate and complete
- c. Compliance Facilitation: where education does not result in voluntary compliance, undertake direct communication to encourage property owners to maintain their system
- d. Enforcement: where voluntary compliance does not occur the Compliance and Enforcement Policy will be applied
- e. Reporting: providing to relevant internal and external stakeholders, annual reporting on key indicators of septic tank system risk across the Shire.

### 3.4 Prospective Septic Tank Systems Compliance

Approval of new septic tank systems and alterations to existing systems are required to comply with Environment Protection Act 1970, State Environment Protection Policies, Certificates of Approval, the Code of Practice – Onsite Wastewater Management and applicable Australian Standards.

Compliance to legislation ensures that:

- a. New septic tank systems are of a type that treats and retains all sewage within lot boundaries; and
- b. Alterations to existing septic tank systems:
  - i. Upgrade the system to meet current standards, or
  - ii. Where it is not possible to meet current standards due to site constraints, the system is upgraded to give a better public health and environmental outcome.

### 3.5 Temporary Wastewater Storage Tanks

A temporary wastewater storage tank attached to a portable toilet, portable amenity block or temporary group accommodation must, unless otherwise approved by the Environmental Health Department of Council:

- a. Comply with the *Code of Practice – Guidelines for the provision of portable toilets on construction sites and at events where connection to a sewer is not practical* where connection to a sewer is not practical; or
- b. Be approved as part of a planning permit, and
- c. Be emptied pursuant to the Environment Protection (Industrial Waste Resource) Regulations 2009 by a licensed Hazardous Waste professional, licensed with the Environment Protection Authority (EPA), and
- d. Be maintained to prevent a nuisance from being created.

### 3.6 Investigation and Enforcement Action with regard to Septic Tank Systems

Failing, ineffective, or non-permitted septic tank systems are required to be investigated:

- a. By suitable qualified and/or experienced persons,
- b. In accordance with the *Environment Protection Act 1970* and/or *Public Health and Wellbeing Act 2008*, as appropriate.

Council considers the following when taking compliance and enforcement action:



- a. The education and information previously provided to the property owner;
- b. The demonstrated maintenance records and level of functioning of the septic tank system;
- c. The conditions placed on the system in the approved permit issued by Council; and
- d. The extent or possible extent of impacts to public health or the environment.

When undertaking compliance and enforcement with property owners, Council will refer to the Compliance and Enforcement Policy (C64).

#### 4. RISK ASSESSMENT

This policy seeks to minimise the risks to public health and the environment posed by wastewater discharges. Effective management of septic tank systems and other methods for retaining wastewater are integral to ensuring safe drinking water within catchment areas, and water of a suitable quality, when obtained from dams, bores and other sources.

#### 5. ROLES AND RESPONSIBILITIES STATEMENT

The Environmental Health Department of Council will implement this Policy by:

- Educating the community on the importance of effective wastewater management.
- Educating the community on the wastewater management options available to them.
- Consulting with all relevant agencies on issues and proposals involving wastewater
- Applying the principles of this Policy to current and future septic tank systems.

#### 6. POLICY DEFINITIONS

<b>EPA</b>	Environmental Protection Authority
<b>Septic Tank System</b>	A system for the bacterial, biological, chemical or physical treatment of sewage, and includes all tanks, beds, sewers, drains, pipes, fittings, appliances and land used in connection with the system.
<b>South Gippsland Water and Gippsland Water</b>	Water authority organisations within South Gippsland Shire.
<b>Temporary Wastewater Storage Tank</b>	A tank or system of tanks that retains sewage and/or wastewater, and does not treat the waste or discharge to land or water.
<b>Wastewater</b>	Includes toilet waste, water from showers, baths, kitchens, pools and any other water using devices.

#### 7. REFERENCE DOCUMENTS

**Council Policy** (document available on Council's website)

[Municipal Domestic Wastewater Management Plan 2016-2020](#)

[Compliance and Enforcement Policy \(C64\)](#)

**Legislative Provisions, Standards, Guidelines and Principles**

[Environment Protection Act 1970](#)

[Public Health and Wellbeing Act 2008](#)

[State Environment Protection Policy \(Waters\) 2018](#)

[Code of Practice – onsite wastewater management \(EPA Publication 891.4, 2016\)](#)

[Ministerial Guidelines for planning permit applications in open potable water supply catchments 2012](#)

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[Code of Practice – Guidelines for the provision of portable toilets on construction sites and at events where connection to a sewer is not practical \(Hire and Retail Industry Associated Ltd – Portable Toilets Division, 2015\)](#)

COUNCIL POLICY

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*Wastewater Management Policy  
Version 1.0*

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Meeting	<b>Minutes of South Gippsland Shire Council (SGSC) Audit Committee</b>
Date	<b>Tuesday 10 September 2019</b> Time <b>1.15pm (Committee met in committee at 1pm)</b> Duration: <b>2.0 hour meeting</b> Location: <b>Meeting Room 2, Leongatha</b>
Attendees	Dr AJ (John) Purcell (Chair) Mr. Homi Burjorjee Mr. Chris Badger Mr. Rick Brown (Administrator) Ms. Julie Eisenbise (Observer) <b>Support Staff:</b> Bryan Sword: Acting CEO, Stuart Smith: Acting Finance Manager, Stephanie Pettau: Financial Accountant, June Ernst: Coordinator of Corporate Planning and Council Business, Luke Anthony: Coordinator Risk and Procurement and Nina Elizarova: Risk Officer. <b>Internal Audit:</b> Richmond, Sinnott and Delahunty (RSD): Nathan Barber: Principal. <b>External Audit:</b> Victorian Auditor General's Office (VAGO): Jonathan Kyvelidis: Sector Director, Local Government, Sanchu Chummar: Senior Manager
Apologies	Eve Hollole: Senior Risk Officer, Faith Page: Director Corporate and Community Services and Kathie Teasdale: Principal (RSD).
In Committee Section	Committee received a confidential verbal update from Coordinator Risk and Procurement Officer relating to compliance and other matters.
Disclosures of Interest	Dr Purcell as member of Baw Baw Shire, Knox City and Wyndham City Councils' Audit Committees. Mr Homi Burjorjee as member of Knox City Council, Cardinia Shire Council, Ararat Rural City Council, Bass Coast Shire Council and Office of Public Prosecutions Audit Committees. Mr Chris Badger as non – executive director of Gippsland Water, Gippsland Waste and Recovery Group. Chair of Gippsland Waste and Resource Recovery Group Audit and Risk Committee. Member of Wellington Shire Council Audit Committee. Director CDB Energy/Utility Consultancy. Board Member, Gippsland Ports.
Confirmation of Minutes of previous meeting	Committee approved the Minutes of the Audit Committee meeting held on 11 June 2019. <b>Action:</b> the Committee requested a list of actions from meetings be included with each Minutes and Agenda (refer Item 11 below). <b>Moved:</b> Mr Badger. <b>Seconded:</b> Mr Burjorjee.
Advise of known or potential breaches of legislation	Refer to confidential In Committee briefing above.

Agenda Item	Responsible	Comment / Action
<b>1. Financial and Performance Reports</b>		
<b>1.1 Draft Annual Accounts</b> Draft Annual Accounts 2018/19 FY	Acting Manager Finance	The Committee: <ul style="list-style-type: none"> <li>Noted YTD 2019/20 Financial Performance Report will be provided to the 10 Dec 19 Meeting.</li> <li>Congratulated staff on the Draft Annual Accounts and received responses to the Committees questions.</li> <li>Approved the report subject to the letter of representation, Final Management Letter, no changes arising from the subsequent events review and updating positive / negative variances on page 22 and 23 to ensure consistent treatment.</li> </ul> <p>Moved: Mr Burjorjee. Seconded: Dr Purcell.</p> <ul style="list-style-type: none"> <li><b>Action:</b> all questions submitted by (and answers provided to) members prior to meetings be distributed to all members.</li> <li><b>Action:</b> update Draft Annual Accounts to ensure consistent treatment of positive and negative variances on page 22 and 23.</li> </ul>
<b>1.2 Performance Report (Non-Financial)</b> Organisational Performance Report	Coordinator Corporate Planning	Committee noted 2018/19 Annual Report (refer 5.2 below).
<b>1.3 Local Government Performance Reporting Framework</b> LGPRF Results	Coordinator Corporate Planning	Committee noted 2018/19 Annual Report (Refer 5.2 below).
<b>2. Internal Control System</b>		
<b>2.1 Internal Control System Report</b>	Coordinator Risk	Committee noted this report had been postponed.
<b>3. Risk Management</b>		
<b>3.1 Strategic Risk Committee (SRC) Minutes: 5 Aug 19</b>	Senior Risk Officer	Committee noted this report.
<b>3.2 Quarterly report from CEO/Director</b>	Director Corporate and Community Services	Committee agreed to delay this report to 10 Dec 19 Meeting due to officer availability.
<b>3.3 Business Continuity Report</b>	Coordinator Risk	Committee noted report.
<b>3.4 Insurance Report</b>	Coordinator Risk	Committee noted report.
<b>3.5 Fraud, Corrupt Conduct or possible illegal acts.</b>	Risk Coordinator	Committee noted verbal report in the In-Committee section.
<b>4. Internal Audit</b>		
<b>4.1 Planned Internal Audits</b> RSD Internal Audit Report Internal Audit Report – Events Management and Coal Creek Community Park and Museum Operations	Senior Risk Officer	The Committee: <ul style="list-style-type: none"> <li>Noted the Administrators requested a review of 19/20 Internal Audit Plan to focus on capital works, budgeting and customer service.</li> <li>To consider resource requirements for focus areas.</li> <li><b>Action:</b> the Committee requested CEO, Officers and Administrator Brown to work with Internal Audit to develop revised 2019/20 audit</li> </ul>

Agenda Item	Responsible	Comment / Action
		plan based on the above and present to 10 Dec 19 for consideration. <ul style="list-style-type: none"> <li>Noted internal Audit Report – Events Management and Coal Creek.</li> </ul> <b>Moved:</b> Administrator Brown. <b>Seconded:</b> Mr. Badger.
<b>4.2 Internal Audit Plan</b>	Senior Risk Officer	Refer to 4.1 above.
<b>4.3 Internal Audit Recommendation Implementation</b>	Senior Risk Officer	Committee noted the Committee had postponed to Dec 19 meeting.
<b>4.4 Internal Audit Function Review:</b> review the internal audit function, monitor satisfaction with internal audit service.	Senior Risk Officer	Committee noted the Committee had postponed to Dec 19 meeting.
<b>4.5 Internal Audit Function Independence</b>	Senior Risk Officer	Committee noted letter of independence from RSD Audit.
<b>5. External Audit</b>		
<b>5.1 VAGO Financial Management Letter / Closing Report</b>	VAGO	Committee approved these reports subject to any further changes as required by VAGO. <b>Moved:</b> Administrator Brown <b>Seconded:</b> Mr. Badger.
<b>5.2 Annual Report 2018/19</b>	Coordinator Corporate Planning	Committee noted report.
<b>6. Compliance and ethics</b>		
<b>6.1 Legislative Compliance and Ethics Program Report</b>	Coordinator Risk	Committee noted this report has been postponed.
<b>6.2 Protected Disclosure Report</b>	Acting CEO	Committee noted the report within 2018/19 Annual Report (see 5.2).
<b>6.3 Regulatory Updates:</b> keep informed of findings of any examinations by regulatory agencies	Coordinator Risk	Committee noted the Committee postponed this report to 10 Dec 19 meeting.
<b>7. Policies</b>		
<b>7.1 Policy Review Schedule and Policy Reviews</b> Policy Review Schedule	Coordinator Corporate Planning	Committee noted the policy review schedule.
<b>8. Reporting responsibilities</b>		
<b>8.1 Audit Committee reports regularly to Council</b>	Senior Risk Officer	Committee noted the 11 June 19 Minutes were reported to Council at the 24 July 2019 Ordinary Meeting of Council.
<b>8.2 Audit Chair Annual Report to Council</b> Draft Audit Chair Report to Council	Audit Chair	Committee noted the draft Audit Chair Annual briefing to Council which is scheduled for December 2019.
<b>9. General</b>		
<b>9.1 Corporate Planning, Reporting and Governance Framework:</b> A Framework for Good Governance	Coordinator of Corporate Planning	Committee noted the City of Greater Geelong City Framework for Good Governance will be used to develop a framework for SGSC.
<b>9.2 Audit Committee Meeting Dates 2019</b>	Senior Risk Officer	Committee approved the following 2020 meeting dates with 3pm start: Tuesday 10 March 2020; Tuesday 9 June 2020; Tuesday 8 September 2020; and Tuesday 8 December 2020.

Agenda Item	Responsible	Comment / Action
<b>9.3 Independent Committee Membership</b>	Senior Risk Officer	Committee noted Mr. Burjorjee was appointed on 22 Feb 2017 for an initial term of 3 years, concluding on 21 Feb 2020. <b>Action:</b> the Committee to provide a recommendation to Council at the 10 Dec 19 meeting relating to the re-appointment of Mr. Burjorjee for a second three year term and that a skills matrix be prepared to assist.
<b>9.4 Committee performance:</b> assess Committee performance.	Senior Risk Officer	Committee noted the Committee postponed this report to 10 Dec 19 meeting.
<b>9. General Business</b>		
Committee agreed to move the next meeting from Monday 9 December 2019 meeting to Tuesday 10 December 2019 starting at 3pm.		
<b>10. Close / Next meetings:</b> Tuesday 10 December 2019 commencing at 3pm.		

<b>11. Running Actions Arising</b>		
Meeting Date / Action Description	Status	Comment
<b>11 June 19: Item 1.1 Financial Performance Report</b> Committee made the following recommendations: <ul style="list-style-type: none"> <li>“Working Capital” in glossary should be “Working Capital Ratio” and definition should be amended accordingly;</li> <li>Summarise the budget variation requests and include an example of three to four major variation requests;</li> <li>Cash flow activities (Operations, Financing, Investing summary) should be listed in the cash flow executive summary;</li> <li>KPI targets for the LTFP should be included so that target numbers/variations are easier to ascertain;</li> <li>Remove loan advances made and repayment of loans and advances from cash flow statement; and</li> <li>Add a key to indicate what constitutes “green”, “amber” &amp; “red” in the table on page 13 of the executive summary.</li> </ul>	In progress: due 10 Dec 19	This feedback will be incorporated into the next Financial Performance Report.
<b>11 June 19: Item 2.1 Risk Management Framework</b> <ul style="list-style-type: none"> <li>The Committee be provided an overview of Council’s RMF at the Dec 19 meeting and in particular, on Council’s Risk Appetite;</li> <li>The Risk Review for Shared Services be reviewed after the funding announcement which is expected in mid to late June 19.</li> </ul>	In progress: due 10 Dec 19  In progress – the review will be provided on 10 Dec 19 in the Strategic Risk Register	<ul style="list-style-type: none"> <li>Noting the Committee was briefed / provided feedback on updated RMF at 19 Nov 18 meeting prior to Council adoption (17 Feb 19) and the next annual RMF briefing is scheduled for Dec 19.</li> <li>Noting in early July the four participating Councils were successful in securing \$4.6m in funding for the project.</li> </ul>
<b>11 June 2019: Item 4.1 Planned Internal Audits</b>	Closed	This standard was referenced in the final Audit Scope (noting that this Audit is now on hold pending the action outlined in 4.1 above).



<b>11. Running Actions Arising</b>		
<b>Meeting Date / Action Description</b>	<b>Status</b>	<b>Comment</b>
Required the capital works audit scope to reference the good practice standards (e.g. PMBok, ISO55000).		
<b>11 June 19: Item 8.3 Audit Committee Charter &amp; Policy</b> Mr. Badger and Mr. Burjorjee provide the Senior Risk Officer with some proposed drafting regarding the appointment and removal of Members in the Audit Committee Charter.	Closed	This wording was included in the version of the Charter adopted by Council on 28 August 2019
<b>11 June 19: Item 8.3 Audit Committee Charter &amp; Policy</b> Cr. Cousin requested a flow chart be provided to the Committee so that Audit Committee members can better understand the obligation of confidence in relation to Audit Committee documents.	Closed	The Confidential Designation on page 1 of each Audit Committee Agenda outlines in full whether the agenda and each appendix is Confidential and how long it is confidential for.
<b>11 June 19: Item 3 OHS Trends / Annual Leave Balances</b> The Committee recommended that for the next report, officers: <ul style="list-style-type: none"> <li>Adopt the use of frequency rates to benchmark against industry comparisons;</li> <li>Include contractor OHS claims / incidents in OHS reporting and frequency rates; and</li> </ul> Clarify the vertical scale in the graphs contained on page 100 (OHS and Return to Work Trends).	In progress – due 9 June 20	
<b>10 Sept 19: Confirmation of Minutes</b> <ul style="list-style-type: none"> <li>Include a list of all actions from meetings in each meeting Agenda / Minutes.</li> </ul>	Closed	A new section 'Actions Arising' has been included in the meeting minutes of this 10 September 2019 meeting.
<b>10 Sept 19: Action: Item 1.1 Draft Annual Accounts</b> All questions submitted by (and answers provided to) members prior to meetings be distributed to all members.	Closed	All Committee Members and Officers to note this requirement.
<b>10 Sept 19: Item 1.1 Draft Annual Accounts</b> Update Draft Annual Accounts to ensure consistent treatment of positive / negative variances (page 22 and 23).	Closed	The Draft Annual Accounts have been updated to reflect the required change on page 22 and 23.
<b>10 Sept 19: Item 4.1 Internal Audit</b> CEO, Officers and Administrator Brown to work with Internal Audit to develop revised audit plan based on the above and present to 10 Dec 19 for consideration and approval.	In progress: due 10 Dec 19.	
<b>10 Sept 19: Item 9.3 Independent Committee Membership</b> The Committee to provide a recommendation to Council at the 10 Dec 19 meeting relating to the re-appointment of Mr.	In progress: due 10 Dec 19.	

<b>11. Running Actions Arising</b>		
<b>Meeting Date / Action Description</b>	<b>Status</b>	<b>Comment</b>
Burjorjee for a second three year term and that a skills matrix be prepared to assist.		

**S6 Instrument of Delegation - Members of Staff**

**South Gippsland Shire Council**

**Instrument of Delegation**

**To**

**Council Staff**

## S6 Instrument of Delegation - Members of Staff

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:
  - B&PEO: Building and Planning Enforcement Officer
  - CAC: Civil Assets Coordinator
  - CAMS: Coordinator Asset Management Systems
  - CC&MBS: Coordinator of Compliance and Municipal Building Surveyor
  - CEO: Chief Executive Officer
  - CP: Coordinator Property
  - CPC: Caravan Park Coordinator
  - CR&P: Coordinator Risk and Procurement
  - DC&CS: Director Corporate and Community Services
  - DDS: Director Development Services
  - DI: Director Infrastructure
  - EHC: Environmental Health Coordinator
  - EHO: Environmental Health Officer
  - GPO: Graduate Planning Officer
  - LLC: Local Laws and Compliance Coordinator
  - MFR&P: Manager Finance, Risk and Procurement
  - MID: Manager Infrastructure Delivery
  - MIP: Manager Infrastructure Planning
  - MO: Manager Operations
  - MP: Manager Planning
  - MRS: Manager Regulatory Services
  - No delegate: No delegate
  - Not applicable: Not applicable
  - P&C Admin Officer: People and Culture Administration Officer
  - PCA: People and Culture Advisor
  - PTO: Planning Technical Officer
  - Sen Stat Plan Off: Senior Statutory Planning Officer
  - Sen Strat Plan Off: Senior Strategic Planning Officer
  - SLL&PO: Senior Local Laws & Prosecutions Officer
  - SPL&A: Supervisor Planning Liaison and Administration
  - Stat Plan Coord: Statutory Planning Coordinator
  - Stat Plan Off: Statutory Planning Officer
  - Strat Plan Coord: Strategic Planning Coordinator
  - Strat Plan Off: Strategic Planning Officer
  - WWO: Wastewater Officer
3. declares that:
  - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 23 October 2019; and
  - 3.2 the delegation:
    - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
    - 3.2.2 remains in force until varied or revoked;
    - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

Instrument of Delegation Council to Staff

23 October 2019

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

The Common Seal of the South Gippsland Shire Council was affixed in the presence of:

Chief Executive Officer: .....

Date: 23 October 2019

## Delegation Sources

- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Rail Safety (Local Operations) Act 2006
- Residential Tenancies Act 1997
- Road Management Act 2004
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

**Titles****S6 Instrument of Delegation - Members of Staff**

<b>Domestic Animals Act 1994</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 41A(1)	Power to declare a dog to be a menacing dog	LLC, MRS, SLL&PO	Council may delegate this power to a Council authorised officer
<b>Environment Protection Act 1970</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 53M(3)	Power to require further information	EHC, EHO, MRS, WWO	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	EHC, EHO, MRS, WWO	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	EHC, EHO, MRS, WWO	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	EHC, EHO, MRS, WWO	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)	EHC, EHO, MRS, WWO	Refusal must be ratified by Council or it is of no effect
<b>Food Act 1984</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHC, EHO, MRS	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHC, EHO, MRS	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	EHC, EHO, MRS	If s 19(1) applies  Only in relation to temporary food premises or mobile food premises

Instrument of Delegation Council to Staff

23 October 2019

<b>Food Act 1984</b>			
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	EHC, EHO, MRS	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHC, EHO, MRS	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHC, EHO, MRS	If s 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).	EHC, EHO, MRS	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	EHC, EHO, MRS	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	EHC, EHO, MRS	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	EHC, EHO, MRS	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	EHC, EHO, MRS	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHC, EHO, MRS	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	EHC, EHO, MRS	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	EHC, EHO, MRS	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	EHC, MRS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	EHC, MRS	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHC, EHO, MRS	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	EHC, EHO, MRS	Where Council is the registration authority



<b>Food Act 1984</b>			
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	EHC, EHO, MRS	Where Council is the registration authority
	Power to register, renew or transfer registration	EHC, EHO, MRS	Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
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	EHC, EHO, MRS	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	EHC, EHO, MRS	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	EHC, EHO, MRS	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	EHC, EHO, MRS	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHC, EHO, MRS	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHC, EHO, MRS	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	EHC, EHO, MRS	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHC, EHO, MRS	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHC, EHO, MRS	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	EHC, EHO, MRS	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	EHC, EHO, MRS	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHC, EHO, MRS	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	EHC, EHO, MRS	Where Council is the registration authority Only if satisfied of matters in s 39A(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 Public Health and Wellbeing Act 2008	EHC, EHO, MRS	

<b>Food Act 1984</b>			
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHC, EHO, MRS	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	EHC, EHO, MRS	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	EHC, EHO, MRS	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	EHC, EHO, MRS	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	EHC, MRS	Where Council is the registration authority
<b>Heritage Act 2017</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 116	Power to sub-delegate Executive Director's functions, duties or powers	No delegate	Must first obtain Executive Director's written consent  Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation
<b>Local Government Act 1989</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO	
s 185L(4)	Power to declare and levy a cladding rectification charge	No delegate, Not applicable	
<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DDS, GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	If authorised by the Minister

<b>Planning and Environment Act 1987</b>			
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DDS, GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 4H	Duty to make amendment to Victoria Planning Provisions available	DDS, GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	DDS, GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DDS, MP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Off, Strat Plan Coord	
s 8A(5)	Function of receiving notice of the Minister's decision	DDS, MP	
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	DDS, MP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DDS, MP	
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	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	DDS, MP	
s 12B(1)	Duty to review planning scheme	MP	
s 12B(2)	Duty to review planning scheme at direction of Minister	MP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	MP	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 17(1)	Duty of giving copy amendment to the planning scheme	GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Off, Strat Plan Coord	
s 17(2)	Duty of giving copy s 173 agreement	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan	

<b>Planning and Environment Act 1987</b>			
		Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DDS, MP	
s 18	Duty to make amendment etc. available	GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Off, Strat Plan Coord	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DDS, GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DDS, GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DDS, GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 21(2)	Duty to make submissions available	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 21A(4)	Duty to publish notice	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 22	Duty to consider all submissions	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 26(1)	Power to make report available for inspection	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 26(2)	Duty to keep report of panel available for inspection	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	

<b>Planning and Environment Act 1987</b>			
s 27(2)	Power to apply for exemption if panel's report not received	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 28	Duty to notify the Minister if abandoning an amendment	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	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	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 30(4)(b)	Duty to provide information in writing upon request	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 32(2)	Duty to give more notice if required	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 33(1)	Duty to give more notice of changes to an amendment	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 36(2)	Duty to give notice of approval of amendment	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 38(5)	Duty to give notice of revocation of an amendment	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 40(1)	Function of lodging copy of approved amendment	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 41	Duty to make approved amendment available	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 42	Duty to make copy of planning scheme available	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Not applicable	Where Council is a responsible public entity and is a planning authority  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	CEO, DDS, MP	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy	CEO, DDS, MP	Where Council is a responsible public entity

Instrument of Delegation Council to Staff

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<b>Planning and Environment Act 1987</b>			
	Power to endorse the draft Statement of Planning Policy		
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	CEO, DDS, MP	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CEO, DDS, MP	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	CEO, DDS, MP	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CEO, DDS, MP	
s 46GP	Function of receiving a notice under s 46GO	CEO, DDS, MP	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	CEO, DDS, MP	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CEO, DDS, MP	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CEO, DDS, MP	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	CEO, DDS, MP	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	CEO, DDS, MP	

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<b>Planning and Environment Act 1987</b>			
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CEO, DDS, MP	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	CEO, DDS, MP	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CEO, DDS, MP	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	CEO, DDS, MP	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	CEO, DDS, MP	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	CEO	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	CEO, DDS, MP	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	CEO	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	CEO, DDS, MP	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	CEO, DDS, MP	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Coord, Strat Plan Off	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	CEO, DDS, MP	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	DDS, MFR&P, MP	Where Council is the collecting agency

<b>Planning and Environment Act 1987</b>			
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	DDS, MFR&P, MP	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DDS, MFR&P, MP	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	DDS, MFR&P, MP	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Coord, Strat Plan Off	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	DDS, MFR&P, MP	Where Council is the development agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	DDS, MFR&P, MP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Coord, Strat Plan Off	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DDS, MFR&P, MP	Where Council is the development agency specified in the approved infrastructure contributions plan

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			This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	DDS, MFR&P, MP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Coord, Strat Plan Off	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)  Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	CEO, DDS, MFR&P, MP	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	DDS, MFR&P, MP	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Coord, Strat Plan Off	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	DDS, MFR&P, MP	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	MP, Stat Plan Coord, Strat Plan Coord	If the VPA is the collecting agency under an approved infrastructure contributions plan  Where Council is a development agency

<b>Planning and Environment Act 1987</b>			
			under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	DDS, MFR&P, MP	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	DDS, MFR&P, MP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	MP, Stat Plan Coord, Strat Plan Coord	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	MP, Stat Plan Coord, Strat Plan Coord	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	DDS, MFR&P, MP	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	DDS, MFR&P, MP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	CEO, DDS, MFR&P, MP	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	CEO, DDS, MFR&P, MP	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	CEO, DDS, MFR&P, MP	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency

<b>Planning and Environment Act 1987</b>			
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	CEO, DDS, MFR&P, MP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	CEO, DDS, MFR&P, MP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	CEO, DDS, MFR&P, MP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	MP, Stat Plan Coord, Strat Plan Coord	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	CEO, DDS, MFR&P, MP	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	CEO, DDS, MFR&P, MP	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	

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<b>Planning and Environment Act 1987</b>			
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 46Q(1)	Duty to keep proper accounts of levies paid	GPO, MP, PTO, Sen Stat Plan Off, Stat Plan Coord, Stat Plan Off	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	GPO, PTO, Sen Stat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	GPO, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	MP	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	GPO, MP, PTO, Sen Stat Plan Off, Stat Plan Coord, Stat Plan Off	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	MP	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 46QD	Duty to prepare report and give a report to the Minister	MP, Stat Plan Coord, Strat Plan Coord	Where Council is a collecting agency or development agency

<b>Planning and Environment Act 1987</b>			
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	Not applicable	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 47	Power to decide that an application for a planning permit does not comply with that Act	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	GPO, MP, PTO, Sen Stat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off	
s 49(2)	Duty to make register available for inspection	GPO, MP, PTO, Sen Stat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off	
s 50(4)	Duty to amend application	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 50(45)	Power to refuse to amend application	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 50(6)	Duty to make note of amendment to application in register	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 50A(1)	Power to make amendment to application	GPO, MP, PTO, Sen Stat Plan Off, Stat Plan Coord, Stat Plan Off	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 50A(4)	Duty to note amendment to application in register	GPO, MP, PTO, Sen Stat Plan Off, Stat Plan Coord, Stat Plan Off	
s 51	Duty to make copy of application available for inspection	GPO, MP, PTO, Sen Stat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off	

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<b>Planning and Environment Act 1987</b>			
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 52(3)	Power to give any further notice of an application where appropriate	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	

<b>Planning and Environment Act 1987</b>			
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 54(1)	Power to require the applicant to provide more information	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 54(1B)	Duty to specify the lapse date for an application	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	

Planning and Environment Act 1987			
s 57(5)	Duty to make available for inspection copy of all objections	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	MP	
s 57A(5)	Power to refuse to amend application	MP	
s 57A(6)	Duty to note amendments to application in register	MP	
s 57B(1)	Duty to determine whether and to whom notice should be given	MP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	MP	
s 57C(1)	Duty to give copy of amended application to referral authority	MP	
s 58	Duty to consider every application for a permit	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 58A	Power to request advice from the Planning Application Committee	DDS, MP	
s 60	Duty to consider certain matters	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 60(1A)	Duty to consider certain matters	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	In accordance with Council Resolution 25 August 2010 Item B2 the delegate must not determine to grant a planning permit and must instead refer the permit application to Council for Council determination where: a) Five or more objection to the grant of the permit are received by Council, or b) In the Chief Executive Officers opinion, the permit application raises significant issues of Council policy or public interest.

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<b>Planning and Environment Act 1987</b>			
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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006  In accordance with Council Resolution 25 August 2010 Item B2 the delegate must not determine to grant a planning permit and must instead refer the permit application to Council for Council determination where: a) Five or more objections to the grant of the permit are received by Council, or b) In the Chief Executive Officer's opinion, the permit application raises significant issues of Council policy or public interest.
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord,	

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		Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 62(2)	Power to include other conditions	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord,	This provision applies also to a decision to grant an amendment to a permit - see s 75

Planning and Environment Act 1987			
		Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 64(3)	Duty not to issue a permit until after the specified period	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	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	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	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 s 64 or 65	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not

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<b>Planning and Environment Act 1987</b>			
			recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 69(1A)	Function of receiving application for extension of time to complete development	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 69(2)	Power to extend time	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 70	Duty to make copy permit available for inspection	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 71(1)	Power to correct certain mistakes	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 71(2)	Duty to note corrections in register	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 73	Power to decide to grant amendment subject to conditions	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 74	Duty to issue amended permit to applicant if no objectors	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord,	

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		Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 83	Function of being respondent to an appeal	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 83B	Duty to give or publish notice of application for review	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord,	

<b>Planning and Environment Act 1987</b>			
		Stat Plan Off, Strat Plan Coord, Strat Plan Off	
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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 84AB	Power to agree to confining a review by the Tribunal	DDS, MP, Stat Plan Coord	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 91(2)	Duty to comply with the directions of VCAT	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	

<b>Planning and Environment Act 1987</b>			
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 93(2)	Duty to give notice of VCAT order to stop development	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 95(3)	Function of referring certain applications to the Minister	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 95(4)	Duty to comply with an order or direction	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 96F	Duty to consider the panel's report under s 96E	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	

<b>Planning and Environment Act 1987</b>			
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 96H(3)	Power to give notice in compliance with Minister's direction	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 96J	Power to issue permit as directed by the Minister	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	DDS, GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	MP	
s 97C	Power to request Minister to decide the application	DDS, MP	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
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	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	



<b>Planning and Environment Act 1987</b>			
s 97MH	Duty to provide information or assistance to the Planning Application Committee	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DDS	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 97Q(4)	Duty to comply with directions of VCAT	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 101	Function of receiving claim for expenses in conjunction with claim	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord,	

<b>Planning and Environment Act 1987</b>			
		Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 103	Power to reject a claim for compensation in certain circumstances	B&PEO, CC&MBS, MP, MRS, Stat Plan Coord, Strat Plan Coord	
s.107(1)	function of receiving claim for compensation	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 107(3)	Power to agree to extend time for making claim	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 114(1)	Power to apply to the VCAT for an enforcement order	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DDS, DI	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DDS, DI	Except Crown Land
s 129	Function of recovering penalties	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 130(5)	Power to allow person served with an infringement notice further time	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	

Planning and Environment Act 1987			
s 149A(1)	Power to refer a matter to the VCAT for determination	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DDS, MP, Stat Plan Coord, Strat Plan Coord	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 171(2)(g)	Power to grant and reserve easements	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	CEO	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	CEO	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	CEO	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	No delegate	Chief Executive Officer
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	No delegate	Where Council is the relevant responsible authority  Chief Executive Officer

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<b>Planning and Environment Act 1987</b>			
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	B&PEO, CC&MBS, CP, MP, MRS	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CP, DDS, MP	
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	CP, DDS, MP	
s 178A(1)	Function of receiving application to amend or end an agreement	CP, DDS, MP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CP, DDS, MP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CP, DDS, MP	
s 178A(5)	Power to propose to amend or end an agreement	CP, DDS, MP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CP, DDS, MP	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CP, DDS, MP	
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	CP, DDS, MP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CP, DDS, MP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CP, DDS, MP	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CP, DDS, MP	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	CP, DDS, MP	If no objections are made under s 178D Must consider matters in s 178B

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<b>Planning and Environment Act 1987</b>			
s 178E(2)(c)	Power to refuse to amend or end the agreement	CP, DDS, MP	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	CP, DDS, MP	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CP, DDS, MP	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CP, DDS, DI, MIP, MP	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CP, DDS, DI, MIP, MP	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CP, DDS, DI, MIP, MP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CP, DDS, DI, MIP, MP	
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	CP, DDS, MIP, MP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	No delegate	Chief Executive Officer
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	CP, DDS, MIP, MP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CP, DDS, MIP, MP	
s 179(2)	Duty to make available for inspection copy agreement	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	

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s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off
s 182	Power to enforce an agreement	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off
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	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off
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	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off
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	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off
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	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off
s 184G(2)	Duty to comply with a direction of the Tribunal	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off
s 184G(3)	Duty to give notice as directed by the Tribunal	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off

<b>Planning and Environment Act 1987</b>			
s 198(1)	Function to receive application for planning certificate	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 199(1)	Duty to give planning certificate to applicant	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 201(1)	Function of receiving application for declaration of underlying zoning	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 201(3)	Duty to make declaration	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
	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	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
	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	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
	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	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
	Power to give written authorisation in accordance with a provision of a planning scheme	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	

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<b>Planning and Environment Act 1987</b>			
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	B&PEO, CC&MBS, GPO, MP, MRS, PTO, Sen Stat Plan Off, Sen Strat Plan Off, SPL&A, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	
<b>Rail Safety (Local Operations) Act 2006</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 33	Duty to comply with a direction of the Safety Director under s 33	DI, MID	Where Council is a utility under s 3
s 33A	Duty to comply with a direction of the Safety Director to give effect to arrangements under s 33A	DI, MID	Duty of Council as a road authority under the Road Management Act 2004
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 s 33(1)	DI, MID	Where Council is a utility under s 3
s 34C(2)	Function of entering into safety interface agreements with rail infrastructure manager	DI, MID	Where Council is the relevant road authority
s 34D(1)	Function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DI, MID	Where Council is the relevant road authority
s 34D(2)	Function of receiving written notice of opinion	DI, MID	Where Council is the relevant road authority
s 34D(4)	Function of entering into safety interface agreement with infrastructure manager	DI, MID	Where Council is the relevant road authority
s 34E(1)(a)	Duty to identify and assess risks to safety	DI, MID	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 s 34E(2)(a)-(c)	DI, MID	Where Council is the relevant road authority
s 34E(3)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	DI, MID	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 s 34D(2)(a)	DI, MID	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 s 34D(2)(a)	DI, MID	Where Council is the relevant road authority
s 34F(2)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	DI, MID	Where Council is the relevant road authority
s 34H	Power to identify and assess risks to safety as required under s 34B, 34C, 34D, 34E or 34F in accordance with s 34H(a)-(c)	DI, MID	Where Council is the relevant road authority
s 34I	Function of entering into safety interface agreements	DI, MID	Where Council is the relevant road authority

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<b>Rail Safety (Local Operations) Act 2006</b>			
s 34J(2)	Function of receiving notice from Safety Director	DI, MID	Where Council is the relevant road authority
s 34J(7)	Duty to comply with a direction of the Safety Director given under s 34J(5)	DI, MID	Where Council is the relevant road authority
s 34K(2)	Duty to maintain a register of items set out in s 34K(a)-(b)	DI, MID	Where Council is the relevant road authority
<b>Residential Tenancies Act 1997</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 142D	Function of receiving notice regarding an unregistered rooming house	EHC, EHO, MRS	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	EHC, EHO, MRS	
s 142G(2)	Power to enter certain information in the Rooming House Register	EHC, EHO, MRS	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	EHC, EHO, MRS	
s 252	Power to give tenant a notice to vacate rented premises if s 252(1) applies	CP, MIP	Where Council is the landlord
s 262(1)	Power to give tenant a notice to vacate rented premises	CP, MIP	Where Council is the landlord
s 262(3)	Power to publish its criteria for eligibility for the provision of housing by Council	CP, MIP	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	EHC, EHO, MRS	
s 522(1)	Power to give a compliance notice to a person	DDS, EHC, EHO, MRS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	No delegate	Chief Executive Officer
s 525(4)	Duty to issue identity card to authorised officers	CR&P, DC&CS, MFR&P, P&C Admin Officer, PCA	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHC, EHO, MRS	
s 526A(3)	Function of receiving report of inspection	CPC, EHC, EHO, MRS	Caravan Parks Coordinator to only receive reports relating to Council managed Caravan Parks
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	DDS, MRS	

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<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CP, DI, MID, MIP, MO	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CP, DI, MID, MIP, MO	
s 11(9)(b)	Duty to advise Registrar	CP, DI, MID, MIP, MO	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CP, DI, MID, MIP, MO	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CP, DI, MID, MIP, MO	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CP, DI, MID, MIP, MO	Where Council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	CP, DI, MID, MIP, MO	Power of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	CP, DI, MID, MIP, MO	Duty of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	CP, DI, MID, MIP, MO	Function of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	CP, DI, MID, MIP, MO	Duty of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	CP, DI, MID, MIP, MO	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

<b>Road Management Act 2004</b>			
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CP, DI, MID, MIP, MO	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from VicRoads	DI, MIP, MO	
s 14(7)	Power to appeal against decision of VicRoads	DI, MIP, MO	
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	DI, MIP, MO	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DI, MIP, MO	
s 15(2)	Duty to include details of arrangement in public roads register	CAC, CAMS, DI, MIP, MO	
s 16(7)	Power to enter into an arrangement under s 15	DI, MIP, MO	
s 16(8)	Duty to enter details of determination in public roads register	CAC, CAMS, DI, MIP, MO	
s 17(2)	Duty to register public road in public roads register	CAC, CAMS, DI, MIP, MO	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	DI, MIP, MO	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	CAC, CAMS, DI, MIP, MO	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	DI, MIP, MO	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	CAC, CAMS, DI, MIP, MO	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	DI, MIP, MO	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CAC, CAMS, DI, MIP, MO	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	CAC, CAMS, DI, MIP, MO	
s 19(4)	Duty to specify details of discontinuance in public roads register	CAC, CAMS, DI, MIP, MO	
s 19(5)	Duty to ensure public roads register is available for public inspection	CAC, CAMS, DI, MIP, MO	

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<b>Road Management Act 2004</b>			
s 21	Function of replying to request for information or advice	DI, MIP, MO	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DI, MIP, MO	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	DI, MIP, MO	
s 22(5)	Duty to give effect to a direction under s 22	DI, MIP, MO	
s 40(1)	Duty to inspect, maintain and repair a public road.	DI, MIP, MO	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DI, MIP, MO	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DI, MIP, MO	
s 42(1)	Power to declare a public road as a controlled access road	DI, MIP, MO	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	DI, MIP, MO	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with VicRoads before road is specified	CAC, DI, MO	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	DI, MIP, MO	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)	DI, MIP, MO	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DI, MIP, MO	
s 49	Power to develop and publish a road management plan	DI, MIP, MO	
s 51	Power to determine standards by incorporating the standards in a road management plan	DI, MIP, MO	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DI, MIP, MO	

<b>Road Management Act 2004</b>			
s 54(2)	Duty to give notice of proposal to make a road management plan	DI, MIP, MO	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DI, MIP, MO	
s 54(6)	Power to amend road management plan	DI, MIP, MO	
s 54(7)	Duty to incorporate the amendments into the road management plan	DI, MIP, MO	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DI, MIP, MO	
s 63(1)	Power to consent to conduct of works on road	DI, MIP, MO	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	CAC, DI, MIP, MO	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DI, MIP	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DI, LLC, MIP, SLL&PO	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	DI, LLC, MIP, SLL&PO	Where Council is the coordinating road authority
s 67(3)	Power to request information	DI, LLC, MIP, SLL&PO	Where Council is the coordinating road authority
s 68(2)	Power to request information	DI, LLC, MIP, SLL&PO	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	No delegate	Chief Executive Officer
s 72	Duty to issue an identity card to each authorised officer	CR&P, DI, LLC, MIP, P&C Admin Officer, PCA, SLL&PO	
s 85	Function of receiving report from authorised officer	DI, LLC, MIP, SLL&PO	
s 86	Duty to keep register re s 85 matters	DI, MIP	
s 87(1)	Function of receiving complaints	DI, LLC, MIP, SLL&PO	
s 87(2)	Duty to investigate complaint and provide report	DI, LLC, MIP, SLL&PO	
s 112(2)	Power to recover damages in court	DI, LLC, MIP, SLL&PO	
s 116	Power to cause or carry out inspection	DI, MIP	
s 119(2)	Function of consulting with VicRoads	DI, MIP	

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<b>Road Management Act 2004</b>			
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of VicRoads)	DI, LLC, MIP, SLL&PO	
s 120(2)	Duty to seek consent of VicRoads to exercise road management functions before exercising power in s 120(1)	DI, LLC, MIP, SLL&PO	
s 121(1)	Power to enter into an agreement in respect of works	DI, LLC, MIP, SLL&PO	
s 122(1)	Power to charge and recover fees	CAC, DI, LLC, MIP, SLL&PO	
s 123(1)	Power to charge for any service	DI, LLC, MIP, SLL&PO	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DI, LLC, MIP, SLL&PO	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	DI, LLC, MIP, SLL&PO	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DI, LLC, MIP, SLL&PO	
sch 2 cl 4	Function of receiving details of proposal from VicRoads	DI, LLC, MIP, SLL&PO	
sch 2 cl 5	Duty to publish notice of declaration	DI, LLC, MIP, SLL&PO	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DI, LLC, MIP, SLL&PO	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DI, LLC, MIP, SLL&PO	Where Council is the infrastructure manager or works manager
sch 7 cla 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DI, LLC, MIP, SLL&PO	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DI, LLC, MIP, SLL&PO	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DI, LLC, MIP, SLL&PO	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DI, MIP	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DI, MIP, MO	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DI, MIP	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DI, MIP	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DI, MIP	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DI, MIP	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DI, MIP	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
sch 7A cl 2	Power to cause street lights to be installed on roads	DI, MIP	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DI, MIP	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	DI, MIP	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	DI, MIP	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)
<b>Planning and Environment Regulations 2015</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord	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.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the

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<b>Planning and Environment Regulations 2015</b>			
			planning scheme to designate Council as an acquiring authority.
<b>Planning and Environment (Fees) Regulations 2016</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DDS, MP	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DDS, MP	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	DDS, MP	
<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 7	Function of entering into a written agreement with a caravan park owner	EHC, MRS	
r 11	Function of receiving application for registration	EHC, MRS	
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHC, MRS	
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHC, MRS	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHC, MRS	
r 13(4) & (5)	Duty to issue certificate of registration	EHC, MRS	
r 15(1)	Function of receiving notice of transfer of ownership	EHC, MRS	
r 15(3)	Power to determine where notice of transfer is displayed	EHC, MRS	
r 16(1)	Duty to transfer registration to new caravan park owner	EHC, MRS	
r 16(2)	Duty to issue a certificate of transfer of registration	EHC, MRS	
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	EHC, MRS	
r 18	Duty to keep register of caravan parks	EHC, MRS	
r 19(4)	Power to determine where the emergency contact person's details are displayed	EHC, MRS	

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<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010</b>			
r 19(6)	Power to determine where certain information is displayed	EHC, MRS	
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	EHC, MRS	
r 22A(2)	Duty to consult with relevant emergency services agencies	EHC, MRS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHC, MRS	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHC, MRS	
r 25(3)	Duty to consult with relevant floodplain management authority	EHC, MRS	
r 26	Duty to have regard to any report of the relevant fire authority	EHC, MRS	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHC, MRS	
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHC, MRS	
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHC, MRS	
r 40(4)	Function of receiving installation certificate	EHC, MRS	
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	EHC, MRS	
sch 3 cl4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	EHC, MRS	
<b>Road Management (General) Regulations 2016</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 8(1)	Duty to conduct reviews of road management plan	MIP, MO	
r 9(2)	Duty to produce written report of review of road management plan and make report available	MIP, MO	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	MIP, MO	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	MIP, MO	

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<b>Road Management (General) Regulations 2016</b>			
r 13(1)	Duty to publish notice of amendments to road management plan	MIP, MO	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	MIP, MO	
r 16(3)	Power to issue permit	MIP, MO	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	MIP, MO	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	MIP, MO	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	MIP, MO	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	MIP, MO	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	MIP, MO	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	MIP, MO	
<b>Road Management (Works and Infrastructure) Regulations 2015</b>			
Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	MIP, MO	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	MIP, MO	Where Council is the coordinating road authority