



CITY OF
MITCHAM

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE DOG AND CAT MANAGEMENT ACT 1995

28 OCTOBER 2022

Delegation Sources

- Dog and Cat Management Act 1995

Positions

Abbreviation	Position	Name
General Manager Corporate Services and Innovation	General Manager Corporate Services and Innovation	
GM Development and Community Safety	General Manager Development and Community Safety	
Manager Environmental Services and Community Safety	Manager Environmental Services and Community Safety	
Manager Finance and Rates	Manager Finance and Rates	
Team Leader Community Safety	Team Leader Community Safety	
Team Leader Community Wellbeing	Team Leader Community Wellbeing	

Positions Groups

Positions Group	Position	Positions
Community Safety Officers	Community Safety Officers	Community Safety Officer - 1, Community Safety Officer - 2, Community Safety Officer - 3, Community Safety Officer - Animal Management, Community Safety Officer - 4, Community Safety Officer - 5, Community Safety Officer - 6, Community Safety Officer - 7, Community Safety Officer - 8, Community Safety Officer - 9, Community Safety Officer - 10, Community Safety Officer - 11

Instrument of Delegation under the Dog and Cat Management Act 1995

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 25A(1)	Appoint authorised persons	GM Development and Community Safety		council
section 25A(2)	Impose conditions on appointment of an authorised person	GM Development and Community Safety		council
section 25A(3)	Revoke appointment or revoke or vary conditions of an authorised person	GM Development and Community Safety		council
section 25B(1)	Issue identity card to an authorised person	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 25C(c)	Enter into an arrangement with another council in relation to the exercise of authorised officer powers	GM Development and Community Safety, Manager		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Environmental Services and Community Safety		
section 26(1)(a)	Maintain a register of dogs	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 26(1)(ab)	Provide information to the Dog and Cat Management Board	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 26(1)(ac)	Maintain other registers	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 26(1)(ad)	Make registers publicly available	GM Development and Community Safety, Manager Environmental Services and		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Community Safety		
section 26(1)(ae)	Limit inspection of register	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 26(1)(b)	Appoint a Registrar	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 26(1)(c)	Make arrangements for the issue and replace certificates of registration and registration discs	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 26(1)(d)	Make arrangements for the exercise of functions and powers of an authorised person	GM Development and Community Safety, Manager Environmental Services and Community Safety		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(1)(e)	Make arrangements for the detention of dogs and cats	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 26(1)(f)	Make arrangements for fulfilling other obligations under the Dog and Cat Management Act	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 26(4)	Keep separate account of moneys received and expended under the Dog and Cat Management Act	GM Development and Community Safety, General Manager Corporate Services and Innovation, Manager Environmental Services and Community Safety		council
section 26(5)	Pay moneys into the Dog and Cat Management Fund	GM Development and Community Safety, Manager Finance and Rates, Manager Environmental Services and		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Community Safety		
section 26(6)(a)	Charge fees for the provision of register extracts	GM Development and Community Safety, Manager Finance and Rates, Manager Environmental Services and Community Safety		council
section 26(6)(ab)	Charge fees for receipt and management of information	GM Development and Community Safety, Manager Finance and Rates, Manager Environmental Services and Community Safety		council
section 26(b)(i)	Charge fees for registration of dogs or businesses	GM Development and Community Safety, Manager Finance and Rates, Manager Environmental Services and Community Safety		council
section	Charge fees for late payment of registration	GM Development and		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
26(b)(ii)		Community Safety, Manager Finance and Rates, Manager Environmental Services and Community Safety		
section 26(b)(iii)	Charge fees for meeting requirements under the Dog and Cat Management Act	GM Development and Community Safety, Manager Finance and Rates, Manager Environmental Services and Community Safety		council
section 26(7)	Provide a percentage rebate as provided for by the Dog and Cat Management Act	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 26A(1)	Prepare a dog and cat management plan	GM Development and Community Safety, Manager Environmental Services and Community Safety		council

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26A(5)	Amend dog and cat management plan	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 39	Rectify the register	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 50(1)(a)	Make a Destruction Order	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 50(1)(b)	Make a Control (Dangerous Dog) Order	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 50(1)(c)	Make a Control (Menacing Dog) Order	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 50(1)(d)	Make a Control (Nuisance Dog) Order	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 50(1)(e)	Make a Control (Barking Dog) Order	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 50(2)(b)	Approve a place to detain dogs	GM Development and Community Safety, Manager Environmental Services and		council

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Community Safety, Team Leader Community Safety		
section 52(a1)	Determine manner and form of application for the council to make an order under Division 3, Part 5, Dog and Cat Management Act	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety, Community Safety Officers		council
section 52(1)(a)	Ascertain owners or persons responsible for a dog	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety, Community Safety Officers		council
section 52(1)(b)	Provide notice of proposed order to each owner or person responsible for a dog	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety,		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Community Safety Officers		
section 52(2)(b)	Note order in register	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety, Community Safety Officers		council
section 52(3)	Provide notice of order to each owner or person responsible for a dog	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 52(4)	Revoke order	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 52(5)	Note revocation of order in register	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 52(6)	Note order made by Dog and Cat Management Board in register	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 53(1)	Issue directions to each owner or person responsible for a dog regarding complying with order	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 59A(1)	Make a Prohibition Order	GM Development and Community Safety, Manager Environmental Services and		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Community Safety		
section 59A(2)	Approve place to detain dog	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 59A(5)(b)	Record a Prohibition Order	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 59A(6)	Revoke a Prohibition Order	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 59A(7)	Note revocation of a Prohibition Order in register	GM Development and Community Safety, Manager		council

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Environmental Services and Community Safety		
section 61(4)	Consider making an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Wellbeing		council
section 61(4)	Consider applying to Magistrates Court for an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 61(6)	Recover cost of microchipping or desexing dog	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 64(2)(c)	Nominate facility for the detention of cats	GM Development and Community Safety, Manager Environmental Services and Community Safety		council
section 64B(1)	Cause a detained dog or cat to be microchipped or desexed	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council
section 64B(2)	Recover cost of microchipping or desexing a dog or cat	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Community Safety		council