



Sub-delegations under the
Environment Protection Act 1993
and the Environment Protection
(Waste to Resources) Policy 2010

26 August 2016

INSTRUMENT OF SUBDELEGATION

On the 25th day of March 2014 the City of Holdfast Bay (“the Council”) delegated certain powers and functions under the following Acts:

- Environment Protection Act 1993 and the Environment Protection (Waste to Resources) Policy 2010

to the person holding the position of Chief Executive Officer (the “Head Delegation”) subject to the terms and conditions specified in the relevant resolution(s) or in the Schedule of Conditions (if any) in the Head Delegation.

The powers and functions so delegated are set out in Attachment 5 to Report No: 92/14.

In exercise of the powers under Section 101 of the Local Government Act 1999 I, as Chief Executive Officer hereby:

- revoke all previous sub-delegations;
- sub-delegate such of those powers and functions identified in the Head Delegation as are specified below to the person holding the positions specified below, on the terms and conditions specified below.

The sub-delegated powers and functions may be exercised individually by each sub-delegate in respect of any particular matter where the sub-delegate is required or proposing to act in the course of their duties.

Signature

Ian Walker
ACTING CHIEF EXECUTIVE OFFICER

Date

CONDITIONS OF SUBDELEGATIONS MADE BY THE CHIEF EXECUTIVE OFFICER

Conditions applying to all sub delegations

Nil

Other Conditions

Nil

Instruments

- INSTRUMENT OF DELEGATION UNDER THE ENVIRONMENT PROTECTION ACT 1993 AND THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010

Delegation Sources

- Environment Protection Act 1993
- Environment Protection (Waste to Resources) Policy 2010

Titles

- Chief Executive Officer: Chief Executive Officer - Justin Lynch
- Manager Regulatory Services: Manager Regulatory Services - Ken O'Neill
- Manager Assets and Facilities: Manager Assets and Facilities - Rajiv Mouveri
- General Manager City Assets and Services: General Manager City Assets and Services - Steve Hodge
- Manager Field Services: Manager Field Services - Pam Andrisakis

NSTRUMENT OF DELEGATION UNDER THE ENVIRONMENT PROTECTION ACT 1993 AND THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010

Environment Protection Act 1993				
#	Item Delegated	Conditions and Limitations	Delegate	Date
81542	1. The power pursuant to Section 85(3) of the Environment Protection Act 1993 ("the Act"), to appoint authorised officers for the purposes of the Act.		Chief Executive Officer	
81543	2. The power pursuant to Section 85(4) of the Act to make an appointment under Section 85(3) of the Act subject to conditions to be specified in the instrument of appointment, and subject to conditions prescribed by regulation.		Chief Executive Officer	
81544	3. The power pursuant to Section 85(5) of the Act to revoke an appointment or to vary or revoke a condition specified in the instrument of such an appointment or impose a further such condition.		Chief Executive Officer	
81545	4. Site Contamination Assessment Orders 4.1 The power pursuant to Section 103H(4) of the Act, where a proposed site contamination assessment order or a proposed variation of such an order would require the undertaking of an activity for which a permit would, but for Section 129 of the Natural Resources Management Act 2004, be required under that Act, and where the Council is the authority under the Natural Resources Management Act 2004 to whom an application for a permit for the activity would otherwise have to be made, to make written submissions in relation to the proposal within a period specified in the notice from the Authority.		Chief Executive Officer	
81546	5. Site Remediation Orders 5.1 The power pursuant to Section 103J(4) of the Act, where a proposed site remediation order (except an emergency site remediation order) or a proposed variation of a site remediation order would require the undertaking of an activity for which a permit would, but for Section 129 of the Natural Resources Management Act 2004, be required under that Act, and where the Council is the authority under the Natural Resources Management Act 2004 to whom an application for a permit for the activity would otherwise have to be made, to make written submission in relation to the proposal within a period specified in the notice from the Authority.		Chief Executive Officer	

Environment Protection (Waste to Resources) Policy 2010				
#	Item Delegated	Conditions and Limitations	Delegate	Date
81548	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>6A. [Metropolitan Councils only] The duty pursuant to Clause 10(2) of the Environment Protection (Waste to Resources) Policy 2010 ("the Policy"), in order to facilitate the proper management of waste to be collected under Clause 10(1)(b) of the Policy, to provide a weekly kerbside waste collection service (other than for recyclable waste or vegetative matter) in respect of residential premises within its area.</p>		Manager Assets and Facilities, General Manager City Assets and Services, Manager Field Services	
81549	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(a) if any other waste is mixed with medical waste, the other waste is to be dealt with under this clause in the same way as is required in relation to medical waste;</p>		Manager Regulatory Services, General Manager City Assets and Services	
81550	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(b) all medical waste must be stored in containers that are weatherproof, shatterproof, insect and vermin proof, and leak proof or, in the case of containers storing only medical sharps or any other sharp articles, leak resistant;</p>		Manager Regulatory Services, General Manager City Assets and Services	

Environment Protection (Waste to Resources) Policy 2010				
81551	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(c) all containers for medical waste that are kept for further use must be thoroughly cleaned and disinfected as soon as reasonably practicable after emptying;</p>		<p>Manager Regulatory Services, General Manager City Assets and Services</p>	
81552	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(d) all containers used for the storage or transport of medical waste must be clearly labelled as containing medical waste;</p>		<p>Manager Regulatory Services, General Manager City Assets and Services</p>	
81553	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(e) all containers of medical waste must be stored in a secure location;</p>		<p>Manager Regulatory Services, General Manager City Assets and Services</p>	
81554	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(f) all necessary equipment required to clean and disinfect the area in case of accidental spillage of medical waste must be readily available and accessible;</p>		<p>Manager Regulatory Services, General Manager City Assets</p>	

Environment Protection (Waste to Resources) Policy 2010				
			and Services	
81555	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(g) discarded medical sharps or any other sharp articles must be contained for disposal in containers that comply with the requirements of the Standards, as amended from time to time, set out in Clause 17(2)(g)(i) of the Policy and the containers must not be subject to compaction by a compacting device nor placed for storage or transport in a portable or mobile compactor;</p>		Manager Regulatory Services, General Manager City Assets and Services	
81556	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(h) medical waste must be disposed of as soon as reasonably practicable;</p>		Manager Regulatory Services, General Manager City Assets and Services	
81557	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(i) all medical waste must be:</p> <p>(i) disposed of by incineration; or</p> <p>(ii) disposed of by such other method of treatment or disposal as is approved by the Authority and subject to such conditions as the Authority thinks fit;</p> <p>(iii) collected for disposal by -</p>		Manager Regulatory Services, General Manager City Assets and Services	

Environment Protection (Waste to Resources) Policy 2010				
	(A) a licensed waste transporter authorised to collect and transport medical waste; or (B) a council;			
81558	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(j) before the collection of medical waste for disposal, the transporter must be advised of the nature of the waste, hazards associated with the waste and any precautions that need to be taken during the collection, transport or disposal of the medical waste;</p>		Manager Regulatory Services, General Manager City Assets and Services	
81559	<p>DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010</p> <p>7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation to any medical waste received by the Council:</p> <p>(k) the transporter must be given such assistance as is required to ensure that loading operations are carried out in such a way as to prevent spillage of any medical waste.</p>		Manager Regulatory Services, General Manager City Assets and Services	