



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

8 October 2019

## INSTRUMENT OF SUBDELEGATION

On the 13<sup>th</sup> day of September 2016 the City of Holdfast Bay ("the Council") delegated certain powers and functions under the following Act and Policy:

- *Environment Protection Act 1993* and
- *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.

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 to the positions indicated below; and
- 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.

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Signature



Roberto Bria  
**CHIEF EXECUTIVE OFFICER**

8 October 2019

# **CONDITIONS OF SUBDELEGATIONS MADE BY THE CHIEF EXECUTIVE OFFICER**

## **Conditions applying to all sub delegations**

Nil

## **Other Conditions**

Nil

# **POWERS AND FUNCTIONS SUBDELEGATED IN THIS INSTRUMENT**

## **Delegation Sources**

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

## **Titles**

- Chief Executive Officer: Chief Executive Officer - Roberto Bria
- General Manager City Assets and Services: General Manager City Assets and Services - Howard Lacy
- Manager Assets and Facilities: Manager Assets and Facilities - Rajiv Mouveri
- Manager Engineering: Manager Engineering - Michael de Heus
- Manager Field Services: Manager Field Services - Ross Whitfield
- Manager Regulatory Services: Manager Regulatory Services - Adrian Hill
- Team Leader Environmental Health: Team Leader Environmental Health - Marissa Michail

## Instrument of Delegation under the Environment Protection Act 1993 and the Environment Protection (Waste to Resources) Policy 2010

<b>Environment Protection Act 1993</b>			
#	Item Delegated	Conditions and Limitations	Delegate
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
<b>Environment Protection (Waste to Resources) Policy 2010</b>			
#	Item Delegated	Conditions and Limitations	Delegate
81548	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES ) POLICY 2010  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.		General Manager City Assets and Services, Manager Assets and Facilities, Manager Engineering, Manager Field Services
81549	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES ) POLICY 2010 7. The duty pursuant to Clause 17(2) of the Policy to ensure that the following provisions are complied with in relation		General Manager City Assets and

<b>Environment Protection (Waste to Resources) Policy 2010</b>			
	to any medical waste received by the Council:  (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;		Services, Manager Regulatory Services, Team Leader Environmental Health
81550	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES ) POLICY 2010 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:  (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;		General Manager City Assets and Services, Manager Regulatory Services, Team Leader Environmental Health
81551	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES ) POLICY 2010 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:  (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;		General Manager City Assets and Services, Manager Regulatory Services, Team Leader Environmental Health
81552	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES ) POLICY 2010 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:  (d) all containers used for the storage or transport of medical waste must be clearly labelled as containing medical waste;		General Manager City Assets and Services, Manager Regulatory Services, Team Leader Environmental Health
81553	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES ) POLICY 2010 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:  (e) all containers of medical waste must be stored in a secure location;		General Manager City Assets and Services, Manager Regulatory Services, Team Leader Environmental Health
81554	DELEGATIONS UNDER THE ENVIRONMENT PROTECTION (WASTE TO RESOURCES ) POLICY 2010 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:		General Manager City Assets and Services, Manager Regulatory Services, Team

<b>Environment Protection (Waste to Resources) Policy 2010</b>			
	(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;		Leader Environmental Health
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>		General Manager City Assets and Services, Manager Regulatory Services, Team Leader Environmental Health
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>		General Manager City Assets and Services, Manager Regulatory Services, Team Leader Environmental Health
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> <p>(A) a licensed waste transporter authorised to collect and transport medical waste; or</p> <p>(B) a council;</p>		General Manager City Assets and Services, Manager Regulatory Services, Team Leader Environmental Health
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>		General Manager City Assets and Services, Manager Regulatory Services, Team Leader Environmental Health
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</p>		General Manager City Assets and

**Environment Protection (Waste to Resources) Policy 2010**

	<p>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>	<p>Services, Manager Regulatory Services, Team Leader Environmental Health</p>
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