

INSTRUMENT OF SUB-DELEGATION

Chief Executive Officer to Members of Staff

Under the Environment Protection Act 2017



Campaspe
Shire Council

Instrument of Sub-Delegation – Chief Executive Officer to Members of Staff

1. Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 47(1) of the *Local Government Act 2020*, I, as Chief Executive Officer of Campaspe Shire Council

1. delegate each duty and/or function and/or power respectively 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 respectively described in column 3 of the Schedule;
2. record that a reference in the Schedule are as follows:

ALL GM	All General Managers
EHC	Environmental Health Coordinator
EHO	Environmental Health Officer
GMCOM	General Manager Community
GMCOR	General Manager Corporate
GMDEV	General Manager Development
LLC	Local Laws Coordinator
LLO	Local Laws Officer
MCH	Manager Community Health
MF	Manager Finance

3. declare that this Instrument of Sub-Delegation -
 - 3.1 comes into force immediately upon its execution;
 - 3.2 remains in force until varied or revoked;
 - 3.3 is subject to any conditions and limitations set out in paragraph 5, and in the Schedule; and
 - 3.4 must be read in accordance with any guidelines or policies which Council from time to time adopts; and
4. declare that the delegate must not determine the issue, take the action or do the act or thing if:
 - 4.1 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
 - 4.2 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
 - 4.3 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 ss 11(2)(a) – (n) and 47(2) (inclusive) of the Act or otherwise.

Instrument of Sub-Delegation – Chief Executive Officer to Members of Staff

This Instrument of Sub-Delegation is 1 December 2021 and is made by the Chief Executive Officer under authority of an instrument of delegation authorised by Resolution of Council made on 20 October 2021.

Signed by the Chief Executive Officer of Council)
in the presence of:)



.....
Witness

Date: 1/12/2021

Instrument of Sub-Delegation – Chief Executive Officer to Members of Staff

2. Schedule

Index

1.	Instrument of Sub-Delegation	i
2.	Schedule	iii
	ENVIRONMENT PROTECTION ACT 2017	4

Instrument of Sub-Delegation – Chief Executive Officer to Members of Staff

ENVIRONMENT PROTECTION ACT 2017			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50(3)	Power to require the applicant to provide necessary information relating to the application	EHC EHO	
s 54(1)	Power to issue a permission subject to conditions specified in the permission	EHC EHO	
s 58(1)	Power to amend a permission issued on own initiative	EHC EHO	
s 60(1)	Power to suspend a permission	EHC EHO	
s 60(6)	Power to remove period of suspension	EHC EHO	
s 60(7)	Power to extend period of suspension	EHC EHO	
s 61(1) & (2)	Power to revoke permission on own initiative	EHC EHO	
s 84(8)	Power to renew permit for (a) a period of not more than 5 years or (b) any shorter period prescribed	EHC EHO	
s 84(9)	Power to renew a permit more than once	EHC EHO	

Instrument of Sub-Delegation – Chief Executive Officer to Members of Staff

ENVIRONMENT PROTECTION ACT 2017			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 114(2)	Power to appoint litter enforcement officer	GMDEV GMCOM	Where Council is a litter authority
s 121(6)	Power to direct the occupier of the place or premises to remove or dispose of the waste within the time specified in a waste abatement notice	EHC EHO LLC LLO	Where Council is a litter authority
s 121(1)	Power to issue a waste abatement notice	EHC EHO LLC LLO	Where Council is a litter authority
s 121(8)	Power to vary or revoke a waste abatement notice	EHC EHO LLC LLO	Where Council is a litter authority
s 122(2)	Power to recover any reasonable costs incurred in taking action under this section	MF LLC LLO	Where Council is a litter authority
s 131(2)	Power to take further function	GMCOR	

Instrument of Sub-Delegation – Chief Executive Officer to Members of Staff

ENVIRONMENT PROTECTION ACT 2017			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 171(1)	Power to appoint a residential noise enforcement officer	GMDEV GMCOM	
s 172(1)	Power to issue a residential noise improvement notice	GMDEV EHC EHO	
s 172(5)(a)	Power to extend time to comply with residential noise improvement notice	EHC EHO	
s 172(5)(b)	Power to revoke or amend any requirement specified in a residential noise improvement notice	EHC EHO	
s 174(1)	Power to apply for injunctions relating to residential noise	EHC EHO	
s 242(2)	Power to appoint an authorised officer		Not delegated
s 347(4)	Power to take proceedings for an offence against a provision of Part 6.3	GMDEV GMCOR GMCOM	Where Council is a litter authority
s 391(1)	Power to nominate a representative to a Local Government Waste Forum in a waste and resource region		Not delegated Where Council is in a waste and resource region

Instrument of Sub-Delegation – Chief Executive Officer to Members of Staff

ENVIRONMENT PROTECTION ACT 2017			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 122(1)	Power to remove or dispose of waste or object or thing	EHC EHO LLC LLO	Where Council is a litter authority
r 21(2)	Power to require an applicant to provide additional information	EHC EHO	
r 25	Power to administer prescribed permit activities	EHC EHO	
r 171	Power to take proceedings for specified offences relating to on-site wastewater management systems	GMDEV MCH EHC	
r 215	Power to (a) waive the fee, in whole or parts; or (b) refund the fee paid, in whole or part	ALL GM	
r 220(3)	Power to treat anything done for the purposes of, or in relation to, the old application as having been done for the purposes of, or in relation to, the new application	EHC EHO	