

***S18 Instrument of Sub-Delegation
under the Environment Protection Act 2017***

Greater Bendigo City Council

Instrument of Sub-Delegation

to

Members of Council staff

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, 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 in column 3 of the Schedule;
2. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on 11 December 2023 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
3. the delegation:
 - 3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation;
 - 3.2 remains in force until varied or revoked;
 - 3.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
 - 3.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
4. this Instrument of Sub-Delegation is subject to the following limitations:
 - 4.1 the powers, duties and functions described in column 1 and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
 - 4.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
 - 4.1.2 noise from the construction, demolition or removal of residential premises;
5. the delegate must not determine the issue, take the action or do the act or thing:

- 5.1 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;
- 5.2 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) strategy
 adopted by Council;
- 5.3 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; or
- 5.4 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.

APPROVED under the COMMON SEAL)
 of the GREATER BENDIGO CITY COUNCIL)
 in the presence of:)



[Handwritten Signature]

 Chief Executive Officer

CRAIG NIEMANN

 Full name

15 DECEMBER 2023

 Date

LYTLETON TERRACE BENDIGO

 Usual address

SCHEDULE

RELIANSYS® DELEGATIONS
EXPORT FROM LIBRARY

S18 INSTRUMENT OF SUB-DELEGATION UNDER THE
ENVIRONMENT PROTECTION ACT 2017

EXPORT: 28 NOVEMBER 2023

Delegation Sources

- Environment Protection Act 2017

Reliansys ID code	Delegation Source	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
		Provision	Item Delegated	Delegate	Conditions & Limitations
584599	Environment Protection Act 2017	s 271	Power to issue improvement notice	Manager Safe Environments, Manager Community and Environmental Health, Team Leader Local Laws, Senior Local Laws Officer, Environmental Health Technician, Environmental Health Officer, Coordinator Local Laws and Animal Services, Coordinator Environmental Health, Team Leader Environmental Health	
584600	Environment Protection Act 2017	s 272	Power to issue prohibition notice	Manager Safe Environments, Manager Community and Environmental Health, Team Leader Local Laws, Senior Local Laws Officer, Environmental Health Technician, Environmental Health Officer, Coordinator Local Laws and Animal	

Reliansys ID code	Delegation Source	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
		Provision	Item Delegated	Delegate	Conditions & Limitations
				Services, Coordinator Environmental Health, Team Leader Environmental Health	
584601	Environment Protection Act 2017	s 279	Power to amend a notice	Manager Safe Environments, Manager Community and Environmental Health, Team Leader Local Laws, Senior Local Laws Officer, Environmental Health Technician, Environmental Health Officer, Coordinator Local Laws and Animal Services, Coordinator Environmental Health, Team Leader Environmental Health	
584602	Environment Protection Act 2017	s 358	Functions of the Environment Protection Authority	Manager Safe Environments, Manager Community and Environmental Health, Directors, Team Leader Local Laws, Senior Local Laws	

Reliansys ID code	Delegation Source	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
		Provision	Item Delegated	Delegate	Conditions & Limitations
				Officer, Environmental Health Technician, Environmental Health Officer, Coordinator Local Laws and Animal Services, Chief Executive Officer, Coordinator Environmental Health, Planning Compliance Officer, Team Leader Environmental Health	
584603	Environment Protection Act 2017	s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	Manager Safe Environments, Manager Community and Environmental Health, Directors, Team Leader Local Laws, Senior Local Laws Officer, Environmental Health Technician, Environmental Health Officer, Coordinator Local Laws and Animal Services, Chief Executive Officer, Coordinator Environmental Health, Planning	

Reliansys ID code	Delegation Source	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
		Provision	Item Delegated	Delegate	Conditions & Limitations
				Compliance Officer, Team Leader Environmental Health	
584604	Environment Protection Act 2017	s 359(2)	Power to give advice to persons with duties or obligations	Manager Safe Environments, Manager Community and Environmental Health, Directors, Team Leader Local Laws, Senior Local Laws Officer, Environmental Health Technician, Environmental Health Officer, Coordinator Local Laws and Animal Services, Chief Executive Officer, Coordinator Environmental Health, Planning Compliance Officer, Team Leader Environmental Health	