

HOBSONS
BAY CITY
COUNCIL



S18 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. record that references in the Schedule are as follows

Title	Position
BI	Building Inspector
BS	Building Surveyor
BSCO	Building Site Compliance Officer
BTO	Building Technical Officer
CCA	Coordinator City Amenity
CCSC	Coordinator Community Safety and Compliance
CES	Coordinator Environment and Sustainability
CLCS	Coordinator Land Contamination Services
CEH	Coordinator Environmental Health
EHO	Environmental Health Officer
MBS	Municipal Building Surveyor
MCO	Manager City Operations
MP	Manager Parks and Open Space
MPBHS	Manager Planning, Building and Health Services
MPI	Manager Projects and Infrastructure
MSES	Manager Strategy, Economy and Sustainability

Title	Position
PIO	Planning Investigations Officer
PLLAMO	Parking, Local Laws and Animal Management Officer
PPIO	Principal Planning Investigations Officer
CPLI	Coordinator Planning Investigations
SPIO	Senior Planning Investigations Officer
SBSCO	Senior Building Site Compliance Officer
TLCSC	Team Leader Community Safety and Compliance
TLE	Team Leader Environment
TLEH	Team Leader Environmental Health
TLS	Team Leader Sustainability

3. this Instrument of Sub-Delegation is authorised by **a resolution of Council** passed on 28 April 2026 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;
4. the delegation:
 - 4.1 comes into force immediately once this Instrument of Sub-Delegation is executed by the Chief Executive Officer and the Mayor;
 - 4.2 remains in force until varied or revoked;
 - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
 - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
 - 5.1 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:

5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and

5.1.2 noise from the construction, demolition or removal of residential premises;

6. the delegate must not determine the issue, take the action or do the act or thing:

6.1 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;

6.2 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;

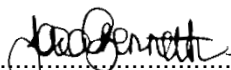
6.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

6.4 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.

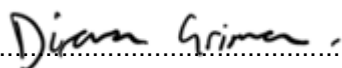

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Signed by Phu Nguyen, Chief Executive Officer pursuant to a resolution of Council adopted at the Council Meeting held on 28 April 2026.

Sarah Bennetts
Name

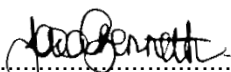

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Witness

Date: 04 May 2026


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Signed by the Mayor Cr Diana Grima in the presence of

Sarah Bennetts
Name


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Witness

Date: 04 May 2026

SCHEDULE

ENVIRONMENT PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 271	Power to issue improvement notice	SBSCO, BSCO, MPBHS, EHO, TLEH, CEH, CPLI, PPIO, PIO, SPIO, MBS, BI, BS, BTO, CCSC, TLCSC, PLLAMO, MSES, CES, TLS, TLE, MCO, CCA	
s 272	Power to issue prohibition notice	SBSCO, BSCO, MPBHS, EHO, TLEH, CEH, CPLI, PPIO, PIO, SPIO, MBS, BI, BS, BTO, CCSC, TLCSC, PLLAMO, MSES, CES, TLS, TLE, MCO, CCA	
s 279	Power to amend a notice	SBSCO, BSCO, MPBHS, EHO, TLEH, CEH, CPLI, PPIO, PIO, SPIO, MBS, BI, BS, BTO, CCSC, TLCSC, PLLAMO, MSES, CES, TLS, TLE, MCO, CCA	
s 358	Functions of the Environment Protection Authority	SBSCO, BSCO, MPBHS, EHO, TLEH, CEH, CPLI, PPIO, PIO, SPIO, MBS, BI, BS, BTO, CCSC, TLCSC, PLLAMO, MSES, CES, TLS, TLE, MCO, CCA, MP, MPI, CLCS	
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.	SBSCO, BSCO, MPBHS, EHO, TLEH, CEH, CPLI, PPIO, PIO, SPIO, MBS, BI, BS, BTO, CCSC, TLCSC, PLLAMO, MSES, CES, TLS, TLE, MCO, CCA, MP, MPI, CLCS	
s 359(2)	Power to give advice to persons with duties or obligations	SBSCO, BSCO, MPBHS, EHO, TLEH, CEH, CPLI, PPIO, PIO, SPIO, MBS, BI, BS, BTO, CCSC, TLCSC, PLLAMO, MSES, CES, TLS, TLE, MCO, CCA, MP, MPI, CLCS	