

Australian Capital Territory

Waste Management and Resource Recovery Delegation 2018 (No.1)

Notifiable Instrument NI 2018-317

made under the

Waste Management and Resource Recovery Act 2016, section 123 (Delegation)

1 Name of instrument

This instrument is the Waste Management and Resource Recovery Delegation 2018 (No.1).

2 Commencement

This instrument commences on the day after notification.

3 Revocation

I revoke the Waste Management and Resource Recovery Delegation 2017 (No 1) NI2017-365.

4 Delegation of Powers

I delegate to the person(s) from time to time occupying the public service positions specified in Column 3 of Schedule 1 to this instrument, my functions under the provisions of the *Waste Management and Resource Recovery Act 2016* and the *Waste Management and Resource Recovery Regulation 2017* specified in Columns 1 and 2 of the Schedule.

Note The *Legislation Act 2001* defines 'occupy' in relation to a position, to include hold the position, act in the position or exercise the functions of the position.

Jim Corrigan
Waste Manager

8 June 2018

Schedule 1 Waste Management and Resource Recovery Delegation 2018 (No.1) made under the *Waste Management and Resource Recovery Act 2016*.

Waste Management and Resource Recovery Act 2016		
COLUMN 1	COLUMN 2	COLUMN 3
SECTION	SHORT DESCRIPTION	DELEGATED OFFICER
20(1)	Power to require (by written notice) an applicant for a waste facility licence to supply more information	Position Number P37979 Position Number P39832
20(2)	Power to refuse further consideration of waste facility licence application if more information not provided	Position Number P37979
22(1)(a)	Power to approve an application for a waste facility licence	Position Number P37979 Position Number P39832
22(1)(b)	Power to refuse an application for a waste facility licence	Position Number P37979
22(4)	Power to provide reasons for refusal of waste facility licence to applicant	Position Number P37979
22(5)	Power to issue waste facility licence, and tell applicant form and manner of fee payable	Position Number P37979
23	Power to impose a condition on a waste facility licence	Position Number P37979 Position Number P39832
25(1)	Power to keep a register of waste facility licences	Position Number P37979
25(2),(3)	Power to include information in register, correct an error or omission in register, and keep register accurate and up-to-date	Position Number P37979
25(4)	Power to make register available to person	Position Number P37979
32(1)	Power to require (by written notice) an applicant for a waste transporter registration to supply more information	Position Number P37979 Position Number P39832
32(2)	Power to refuse further consideration of waste transporter registration application if more information not provided	Position Number P37979
34(1)(a)	Power to approve an application for waste transporter registration	Position Number P37979 Position Number P39832
34(1)(b)	Power to refuse an application for waste transporter registration	Position Number P37979
37(1)	Power to keep a register of registered waste transporters	Position Number P37979
34(3)	Power to provide reasons for refusal of waste transporter registration to applicant	Position Number P37979
34(4)	Power to issue waste transporter registration, and tell applicant form and manner of fee payable	Position Number P37979
34A	Power to impose a condition on a waste transporter registration	Position Number P37979 Position Number P39832
37(2),(3)	Power to include information in register, correct error or omission in register, and keep register accurate and up-to-date	Position Number P37979
37(4)	Power to make register available to person	Position Number P37979
39(1)	Power to approve a GPS tracking device for s40	Position Number P37979
40(2)	Power to require (by written notice) a registered waste transporter to install, use, maintain, and not tamper with an approved GPS tracking device on a vehicle	Position Number P37979

44	Power to consider regulatory action against a licensee or registered waste transporter	Position Number P37979
45(1)	Power to notify (by written notice) a person of proposed regulatory action against them – ‘notice to ‘show cause’	Position Number P37979
45(2)	Power to consider submissions received in response to ‘show cause’ notice in s.45(1)	Position Number P37979
46(2)(a)	Power to take regulatory action by imposing or amending a licence or registration condition	Position Number P37979
46(2)(b), (c), (d)	Power to take regulatory action by suspending or cancelling a licence or registration or disqualifying a person from applying for a licence or registration	Position Number P37979
47(2)	Power to give written notice to person notifying them that regulatory action against them will not be taken and why	Position Number P37979
48(2)	Power to give notice of immediate suspension of licence/registration if there is a risk to public safety	Position Number P37979
51(2),(3)	Power to return an amended or suspended licence to a licensee	Position Number P37979
52(1)	Power to require a financial assurance	Position Number P37979
53(1)	Power to give written notice of intention to require financial assurance	Position Number P37979
54	Power to cancel licence if financial assurance not provided	Position Number P37979
55(2)	Power to claim on a financial assurance	Position Number P37979
56(1)	Power to give written notice of intention to claim on financial assurance	Position Number P37979
58(2)	Power to give written notice requiring payment of reasonable costs and expenses incurred but not covered by financial assurance	Position Number P37979
62(1)	Power to give written notice to direct a person to comply with an approved Code of Practice	Position Number P37979
64V	Power to approve, refuse, suspend, revoke, or impose conditions on, a container approval	Position Number P37979 Position Number P39833
70(2)	Power to give a written compliance direction	Position Number P37979
71(1)	Power to give a written direction relating to stockpiling materials or delivering waste to a named facility	Position Number P37979
96(2)	Power to give written notice inviting of a proposed enforceable undertaking	Position Number P37979
97(1)	Power to accept proposed enforceable undertaking	Position Number P37979
98	Power to keep, correct, update a register of enforceable undertakings	Position Number P37979
99(1)	Power to approve withdrawal from an enforceable undertaking	Position Number P37979
100(1)	Power to end an enforceable undertaking	Position Number P37979
127(1)	Power to approve forms for the Act	Position Number P37979

Waste Management and Resource Recovery Regulation 2017		
<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>
CLAUSE	SHORT DESCRIPTION	DELEGATED OFFICER
24I	Power to require more information from applicant in respect of an application for an approval of a network arrangement	Position Number P37979 Position Number P39833
24K	Power to approve, refuse, or impose conditions on an approval of, a network arrangement	Position Number P37979 Position Number P39833
24L	Power to amend an approval of a network arrangement	Position Number P37979 Position Number P39833
24M	Power to suspend or revoke an approval of a network arrangement	Position Number P37979 Position Number P39833
24R	Power to require more information from applicant in respect of an application for an approval of a collection point arrangement	Position Number P37979 Position Number P39833
24T	Power to approve, refuse, or impose conditions on an approval of, a collection point arrangement	Position Number P37979 Position Number P39833
24U	Power to amend an approval of a collection point arrangement	Position Number P37979 Position Number P39833
24V	Power to suspend or revoke an approval of a collection point arrangement	Position Number P37979 Position Number P39833
25(2)	Power to exempt person or classes of person from waste reporting requirements	Position Number P37979
27	Powers to measure and estimate waste quantities for the purposes waste quantification	Position Number P37979