



MANSFIELD SHIRE

Instrument of Appointment and Authorisation Alpine Resorts

Endorsed by Council – 20 July 2021



Instrument of Appointment and Authorisation

In this instrument "**officer**" means –

Kaylene Conrick	Chief Executive Officer (CEO)
Kevin Murphy	Senior Coordinator Community Safety (SCCS)
Kelly Mahoney	Environmental Health Officer (EHO)

By this instrument of appointment and authorisation Mansfield Shire Council –

1. under section 224 of the *Local Government Act* 1989 appoints the officers to be authorised officers for the administration and enforcement of -

the <i>Food Act</i> 1984	[CEO, SCCS, EHO]
the <i>Public Health Act and Wellbeing Act</i> 2008 ¹	[CEO, SCCS, EHO]
the <i>Local Government Act</i> 1989	[CEO, SCCS, EHO]
the <i>Local Government Act</i> 2020	[CEO, SCCS, EHO]
the <i>Tobacco Act</i> 1987 ²	[CEO, SCCS, EHO]

the Regulations made under each of those Acts;

the local laws made under the *Local Government Act* 1989 or the *Local Government Act* 2020 ;

and any other Act, regulation or local law which relates to the functions and powers of the Council regarding land in Alpine Resorts, being land to which the *Alpine Resorts Act* 1983 applies;

2. under section 29 of the *Public Health and Wellbeing Act* 2008 – appoints the officers to be Environmental Health Officers³ regarding land in Alpine Resorts, being land to which the *Alpine Resorts Act* 1983 applies, for the purposes of enforcing the *Public Health and Wellbeing Act* 2008 and the *Food Act* 1984; [SCCS, EHO]

3. under –

section 313 of the *Local Government Act* 2020
section 219 of the *Public Health and Wellbeing Act* 2008

authorises the officers generally to institute proceedings and represent Council in proceedings for offences against the Acts, Regulations and local laws described in this instrument and relating to land in Alpine Resorts, being land to which the *Alpine Resorts Act* 1983 applies.

¹ Council only to appoint a person suitably qualified or trained under s 31(2) of the Act.

² This Act provides for the CEO of a Council to nominate a person to be an inspector for the purposes of the Act and the Secretary may then appoint them to be an inspector (see s 36). An EHO appointed under the Act is also regarded as an inspector under the Act.

³ Council must be sure that the EHO is suitably trained or qualified under s 31(2) of the *Public Health and Wellbeing Act* 2008.



It is declared that this Instrument –

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This Instrument of appointment and authorisation is dated 20 July 2021 and is made under resolution of Mansfield Shire Council.

.....Councillor

.....Chief Executive Officer