

DELEGATION OF AUTHORITY

TITLE: ANIMAL MANAGEMENT (CATS AND DOGS)

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 - Section 257

Animal Management (Cats and Dogs) Act 2008

Delegated Power:

1. To exercise powers of the Council pursuant to the *Animal Management (Cats and Dogs) Act 2008*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to give identifying information to particular persons.	Section 39
Power to recognise a body supervising an exhibition in which a cat or dog is participating.	Section 42(4)
Power, as an approved entity, to:- (a) conduct an accreditation scheme to breed dogs; and (b) accredit a person as an "accredited breeder" under the accreditation scheme. ## Note: this section only applies to local governments who have been declared to be an approved entity under section 43W.	Section 43B
Power, as an approved entity, to give an accreditation number to an accredited breeder. ## Note: this section only applies to local governments who have been declared to be an approved entity under section 43W.	Section 43C
Power to give registration notice.	Section 49(2)
Power to keep registration form and information.	Section 51
Power to fix the fee for the registration of a dog.	Section 52
Power to recognise a body supervising an exhibition or an obedience trial in which a dog is participating.	Section 64(1)
Power to require applicant to give a stated document or information that is relevant to a permit application.	Section 74(1)
Power to grant or refuse a permit application within a certain time.	Section 75(1)
Power to decide whether desexing is likely to be a serious risk to the health of a dog.	Section 75(3)
Power to impose conditions on the grant of an application for a restricted dog permit.	Section 75(5)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to issue a restricted dog permit.	Section 77
Power to issue a decision notice after deciding to refuse a permit application.	Section 79
Power to grant or refuse a renewal application within a certain time.	Section 84(1)
Power to seek further information in deciding an application for a renewal application.	Section 84(4)(b)
Power to: <ul style="list-style-type: none"> • if the application is granted, issue a renewed permit; or • if the application is refused, issue a decision notice. 	Section 84(5)
Power to amend a restricted dog permit at any time.	Section 87
Power to make:- <ul style="list-style-type: none"> (a) a dangerous dog declaration; (b) a menacing dog declaration; (c) a restricted dog declaration. 	Section 89(1)
Power to determine whether a dog is of a breed mentioned in section 63(1).	Section 89(4)
Power to give a dog owner a proposed declaration notice regarding a dog.	Section 90
Power to withdraw a proposed declaration notice regarding a dog.	Section 92
Power to consider any written representations and evidence within a period stated in a proposed declaration notice and make a regulated dog declaration.	Section 94
Power to give an owner of a dog the subject of a regulated dog declaration, a notice about the decision under subsection (3) or (4).	Section 95
Power to destroy a surrendered regulated dog.	Section 100
Power to recover reasonable seizure or destruction costs.	Section 102
Power to give notice of a proposed inspection program.	Section 114
Power to include other information considered appropriate in the general register.	Section 178(e)
Power to authorise an employee to verify a copy of a document.	Section 198(1)
Where a local government has received a registration form in relation to a cat prior to 23 September 2013 and it has not yet given a registration notice, power to:- <ul style="list-style-type: none"> (a) refund the registration fee to the owner; or (b) if the local government is a declared local government—register the cat under former chapter 3, part 2; or (d) if a local government makes a local law requiring cats to be registered—register the cat under the local law. 	Section 227(2)
Where a local government has received a registration fee in relation to a cat prior to 23 September 2013 and it has given a registration notice for the cat, power to refund the registration fee or a portion of the fee to the owner.	Section 228(2)(b)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for a Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: PUBLIC HEALTH - ASBESTOS COMPLAINTS

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 –Section 257
Public Health Act 2005 Section 14

Delegated Power:

1. The Authority to:

DESCRIPTION OF POWER DELEGATED

Sign and refer relevant asbestos complaints to Queensland Health for investigation.

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.
4. Ensure all relevant complaints referred to Queensland Health are in writing and signed by the delegated officer.
5. Maintain a record of all instances where this delegation has been exercised.

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2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: BIOSECURITY

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 - Section 257

Biosecurity Act 2014

Biosecurity Regulation 2016

Delegated Power:

1. To exercise powers of the Council pursuant to the *Biosecurity Act 2014*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, in a circumstance listed in subsection (1), to advise an inspector of the presence of the biosecurity matter.	Section 36(2)
Power, in a circumstance listed in subsection (1), to advise an appropriate authorised officer of the presence of the biosecurity matter that is a relevant restricted matter.	Section 42(2)
Power to carry out the main function of a local government under the Act.	Section 48
Power to consult with the Minister.	Section 50(3)
Power to comply with a notice issued by the Minister pursuant to subsection (4).	Section 50(5)
Power to agree with the chief executive that Council cannot achieve substantial compliance with the notice.	Section 51(2)
Power to comply with a request from the Minister for a written report made pursuant to subsection (1).	Section 52(2)
Power to prepare and approve a biosecurity plan for invasive biosecurity matter for Council's area.	Section 53
Power to keep a copy of the biosecurity plan available for inspection.	Section 54
Power to consult with the chief executive about the suitability and priority of the activities.	Section 59
Power to pay the amount required by a notice issued by the Minister pursuant to this section.	Section 60(5)
Power, as a building authority for a barrier fence, or as an owner of land affected by the amendment, to consult with the chief executive about the amendment of the barrier fence map.	Section 91(3)
Power, as a building authority for a barrier fence, in the circumstance set out in subsection (1), to build and pay for a gate or grid in the fence.	Section 92(2)
Power, as a building authority for a barrier fence, to undertake the activities set out in subsections (a) and (b).	Section 93
Power, as a building authority for a barrier fence, to enter a place in the circumstances set out in subsection (1).	Section 94

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a building authority for a barrier fence, to enter into an agreement with another person about making an opening in the fence for a particular purpose and period.	Section 95
Power, as a building authority for a barrier fence, to give a notice to a person requiring the person to restore the fence.	Section 96(2)
Power, as a building authority for a barrier fence, to carry out the restoration of the barrier fence and recover the reasonable costs from the person to whom notice was given pursuant to subsection (2).	Section 96(4)
Power, as a building authority for a barrier fence part, to appoint a person employed or engaged by Council to exercise powers under the Act in relation to the barrier fence part.	Section 100
Power, as a building authority for a barrier fence part, to give directions to a barrier fence employee.	Section 101(2)
Power, as a relevant entity, to consult with the chief executive about a proposed making of a code of practice.	Section 105
Power to make written submissions on a proposed guideline.	Section 107
Power to apply to an inspector for a biosecurity emergency order permit.	Section 121
Power to apply to an inspector for a biosecurity instrument permit.	Section 132
Power as a registrable biosecurity entity to apply for registration.	Sections 145 and 147
Power as a registrable biosecurity entity to apply for a registration exemption.	Section 146
Power to make written submissions in response to a notice from the chief executive.	Section 150(3)(b)
Power, in the circumstances, referred to in subsection (1) to apply for deregistration as a biosecurity entity.	Section 152
Power to comply with a requirement of the chief executive made under subsection (2) or (3).	Section 156(2)
Power as a registered biosecurity entity, owner or occupier to give the chief executive a biosecurity risk notice.	Section 160(2)
Power to apply to the chief executive for the removal of the entry for a restricted place from the biosecurity register.	Section 164
Power to apply to the chief executive for the end of a declaration of a designated animal as a restricted animal.	Section 164A
Power to apply to the chief executive for the end of a declaration of a designated biosecurity matter as a restricted biosecurity matter.	Section 164B
Power to give the chief executive further information or a document about the application.	Section 165
Power as a registered biosecurity entity to give the chief executive a change notice.	Section 170(2)
Power to apply to the chief executive for a travel approval for the movement of a special designated animal.	Section 181
Power, as a receiver of a special designated animal at a saleyard, to take the action referred to in subsections (a) and (b).	Section 187

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a receiver of a special designated animal at a restricted agricultural show, to take the action referred to in subsection (2).	Section 188
Power, as a receiver of a special designated animal at a place, to take the action referred to in subsection (2).	Section 190
Power, in the circumstances referred to in subsection (1), as a receiver of a special designated animal to advise an inspector of the circumstances in subsection (1).	Section 193(2)
Power, to comply with all reasonable directions the inspector gives.	Section 193(3)
Power, as a relevant person, to create a movement record for a designated animal and to give the record to the conveyor or drover of the animal.	Section 194(2)
Power, as a relevant person, to keep and produce a movement record for a designated animal in accordance with the requirements of this section.	Section 197
Power, as person who receives a copy of a movement record, to keep and produce the copy of the movement record for in accordance with the requirements of this section.	Section 198(2) and (7)
Power, in the circumstances referred to in subsection (4) and as a person who accepts delivery of the animal at the end of the movement, to create, keep and produce a record complying with subsection (6).	Section 198(5) and (7)
Power, as a person having responsibility for the organisation and operation of an agricultural show, to keep a record in the appropriate form for the designated animal.	Section 199
Power to apply for a prohibited matter permit or a restricted matter permit and to take all steps required to bring the application to finalisation and obtain a decision on the application.	Sections 214 and 215
Power to apply for the renewal of a prohibited matter permit or a restricted matter permit and to take all steps required to bring the application to finalisation and obtain a decision on the application.	Sections 225 and 226
Power to comply with a direction of the chief executive issued pursuant to subsection (2).	Section 229
Power to apply for the transfer of a prohibited matter permit or a restricted matter permit.	Section 230
Power to consult with an interested entity about a proposed biosecurity program.	Section 235(3)(d)
Power to consult with the chief executive about a proposed biosecurity program.	Section 239(1)
Power to consult with the chief executive and an invasive animal board before authorising a biosecurity program.	Section 239(2)
Power to give make copies of a biosecurity program authorisation available for inspection and purchase at Council's public office.	Section 241
Power as an occupier of a place to sign an acknowledgement of consent to enter the place.	Section 268(1)
Power as an occupier of a place to consent to entry by an authorised officer.	Section 269(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to apply to the court for an order against the person convicted of an offence against the Act to pay the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 358
Power, as a relevant body, to stay the original decision, fix conditions on the stay, fix the period of a stay and revoke a stay.	Section 364
Power, as the issuing authority, after receiving an internal review application to conduct an internal review and make a decision.	Section 365
Power, as the issuing authority, to give notice of an internal review decision.	Section 366
Power, as the issuing authority, to make a new decision following the receipt of directions from the court.	Section 372(1)
Power, as the issuing authority, to give effect to a decision of the court to substitute the internal review decision with a new decision.	Section 372(2)
Power, as the issuing authority for a biosecurity order, to give notice of the amount of the debt.	Section 380(2)
Power to register a charge over the land for an unpaid amount and to release the charge once the unpaid amount has been paid.	Section 381
Power, as a third party, to appear at the hearing of an application for a cost recovery order.	Section 383
Power to enter into a government and industry agreement with the Minister or the chief executive.	Section 391
Power to enter into a compliance agreement with the chief executive.	Section 393
Power to apply to the chief executive to enter into a compliance agreement with the State.	Section 396
Power to give the chief executive further information or a document required to decide the application.	Section 399(1)(b)
Power, as the other party to a compliance agreement, to make written representations to the chief executive following receipt of a show cause notice.	Section 405
Power, as the holder for a relevant authority, to apply to the chief executive to amend the conditions of the authority and to take all steps necessary to obtain a decision on the application.	Sections 479 and 480
Power, as the holder for a relevant authority, to make written representations about the show cause notice to the chief executive.	Section 485
Power, as the holder for a relevant authority, to ask the chief executive to cancel the authority.	Section 490
Power, as the holder for a relevant authority, to comply with a notice requiring the return of the document evidencing the authority.	Section 491(3)

2. To exercise powers of the Council pursuant to the *Biosecurity Regulation 2016*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a registered biosecurity entity for a designated place, to make a biosecurity management plan.	Section 94G(1)
Power, as an entity mentioned in subsection (1), to:- <ul style="list-style-type: none"> (a) keep the plan as a separate document at the place; and (b) make the plan available for inspection at the place, on request, during ordinary business hours; and (c) ensure a sign is conspicuously displayed at each management area for the plan stating that:- <ul style="list-style-type: none"> (i) a biosecurity management plan applies to the place; and it is an offence for a person entering, present at, or leaving the management area to fail to comply with the measures stated in the plan unless the person has a reasonable excuse.	Section 94G(4)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
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DELEGATION OF AUTHORITY

TITLE: BODY CORPORATE & COMMUNITY MANAGEMENT

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 - Section 257

Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011

Delegated Power:

1. To exercise powers of the council pursuant to the *Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 33(4)(b)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers, the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
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DELEGATION OF AUTHORITY	
TITLE: BUILDING	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 Section 257</i> <i>Building Act 1975</i> <i>Building Regulation 2006</i>	

Delegated Power:

1. To exercise powers of the Council as a delegated officer pursuant to the *Building Act 1975*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an assessment manager, to determine whether a building development application complies with the building assessment provisions and if it does, to approve the application.	Section 34A(2)
Power, as an assessment manager, to consult with the chief executive about the variation application.	Section 41(1)
Power, as a referral agency, to appoint or employ a building certifier to carry out the assessment against the fire safety standard.	Section 46(5)
Power, under the Planning Act to receive, assess and decide a building development application.	Section 51(2)(a)
Power to appoint or employ a private certifier or another building certifier.	Section 51(2)(b)
Power to appoint or employ a building certifier where asked in writing by the nominated owner and the building work has not been certified.	Section 51(3)
Power to issue a building development approval.	Section 52
Power, in carrying out functions under the Building Act, to accept and, without checking, rely and act on a certificate or other document made by or given to the building certifier.	Section 53(2)
Power to accept and, without further checking, rely and act on a document, given to Council by a private certifier for a building development application, for the purpose of making it available for inspection or purchase as required by the Planning Act.	Section 54
Power, as assessment manager, in relation to undecided building development applications and lapsed building development approvals, to resume or start the development assessment process under the Planning Act at any stage the assessment manager considers appropriate.	Section 55
Power, as the holder of a registered easement or statutory covenant, to consent to building work.	Section 65
Power to decide an application to extend the period mentioned in subsection 71(3), to consult with an entity in deciding the application and to give notice of the decision.	Section 71

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to give a private certifier a document acknowledging receipt of the fee mentioned in subsection 86(1)(c).	Section 87
Power to take the action it considers necessary to complete the building work where the building development approval lapses and the building work is other than demolition.	Section 92(2)
Power to use all or part of any security given to the local government for the carrying out of the building work.	Section 92(5)
Power to refund or release part of any security given to the local government for the carrying out of the building work, at any time, having regard to the progress of the building work.	Section 93(1)
Power, as the assessment manager, to give a reminder notice about the lapsing.	Section 95
Power to consult with a private certifier with regard to further extensions of the period under the Planning Act, s 341 (When approval lapses if development not started).	Section 97(2)
Power, as the assessment manager, to take enforcement action against an owner contravening section 114 of the Act.	Section 117
Power to give a building certifier a notice ('show cause notice').	Section 206(1)
Power to consider any representations made under the show cause notice and decide to take no further action, or apply to the Queensland Civil and Administrative Tribunal to start a disciplinary proceeding against the building certifier.	Section 207
Power to apply to the Queensland Civil and Administrative Tribunal to conduct disciplinary proceeding to determine whether there are proper grounds for taking disciplinary action against a building certifier.	Section 208(1)
Power to notify the QBCC of its application to the Queensland Civil and Administrative Tribunal.	Section 210
Power to consult with any other entity considered appropriate in deciding an application made by the owner of a budget accommodation building to approve a period for the building under section 220(a)(ii) or (b)(ii) (longer periods for approval).	Section 221(2)
Power to grant (including with reasonable conditions) or refuse an application made by the owner of a budget accommodation building to approve a period for the building under section 220(a)(ii) or (b)(ii) (longer periods for approval).	Section 221(2)(b) and (3)
Power to decide the application and give the owner an information notice about the decision.	Section 221(4)
Power to, on written application from the owner, decide whether or not a building conforms with fire safety standards and, if applicable, state what must be done to make the building conform.	Section 222(2)
Power to inspect budget accommodation buildings at least once every 3 years.	Section 228
Power, as local government, to approve, with or without conditions, a later day for a residential care building to comply with section 231AK of the <i>Building Act</i> .	Section 231AK (a)(iii) and (b)(iii) and section 231AL

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as local government, on an application by the owner of an RCB for a later day to obtain a fire safety compliance certificate or certificate of classification to: (a) consult on the application; (b) decide the application; (c) impose conditions on the grant of an application; (d) give an information notice about the decision.	Section 231AL
Power to require the applicant to give medical evidence to support the application.	Section 236
Power to, on application by a pool owner, decide an application for exemption from complying with part of the pool safety standard relating to barriers for a regulated pool due to disability (with or without conditions).	Section 237
Power to give notice of Council's decision (including an information notice about the decision).	Section 238
Power to give notice of each exemption granted under Chapter 8, Part 2, Division 3 to the QBCC commissioner.	Section 239
Power to give an applicant a show cause notice.	Section 242(2)
Power to give to the QBCC commissioner notice of each revocation notice given.	Section 243
Power to keep a copy of each exemption granted and make the copy available for inspection and purchase as if it were a document, that under the Planning Act, the local government must make available for inspection and purchase.	Section 244
Power to, on application by a pool owner for exemption from complying with part of the pool safety standard relating to barriers for the regulated pool due to compliance being impracticable, require further information to establish that compliance with the part of the pool safety standard is not practicable.	Section 245A
Power to, on application by a pool owner, decide an application for exemption from complying with part of the pool safety standard relating to barriers for the regulated pool due to compliance being impracticable (with or without conditions).	Section 245B
Power to give written notice of the grant of an exemption.	Section 245C(1)
Power to give an information notice.	Section 245C(2)
Power to give the owner of the regulated pool a show cause notice.	Section 245E(2)
Power to consider any representations made under the show cause notice and give a further notice (a revocation notice) to the owner, revoking the decision previously given.	Section 245E(3)
Power to give the QBCC commissioner the notices required by sections 245F(1) and 245F(2).	Section 245F
Power to keep a copy of each exemption available for inspection and purchase as if it were a document that, under the Planning Act, must be available for inspection and purchase.	Section 245FA(2)
Power, as owner of adjoining land, to agree with the pool owner as to the construction of a pool barrier along the common boundary.	Section 245XB(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as owner of adjoining land, to agree with the pool owner as to the alteration or replacement of a dividing fence that is used, or proposed to be used, as a pool barrier along the common boundary.	Section 245XD(2)
Power, as owner of adjoining land where a pool barrier is constructed along the common boundary for a pool on the other land, to: •alter or replace the part of the pool barrier with the agreement of the pool owner; or •attach a thing on the part of the pool barrier that does not unreasonably or materially alter or damage the barrier.	Section 245XF(2) and (3)
Power, as owner of adjoining land, to grant access to Council's land to the owner of the other land to carry out fencing work.	Section 245XG(1)
Power, as owner of adjoining land, where Council has carried out urgent fencing work under section 245XK of the Building Act and the owner of the other land is responsible for some or all of the costs of carrying out the fencing work under section 245XH of the Building Act, to require the owner of the other land to contribute a share for any reasonable cost incurred for the fencing work.	Section 245XN(2)
Power, as owner of adjoining land, to apply to QCAT, in the absence of the owner of the other land, for authorisation to carry out fencing work, including apportionment of the contributions for the work.	Section 245XS(1)
Power, as owner of adjoining land, where an order has been made under section 245XS(1) of the <i>Building Act</i> and the owner of the other land has since been located, to give a copy of the order to the owner of the other land and recover the contribution as stated in the order.	Section 245XS(3)
Power, as owner of adjoining land, where the owner of the other land has carried out fencing work for a dividing fence forming part of a pool barrier without authorisation, to apply to QCAT for an order requiring the owner to rectify the dividing fence.	Section 245XV(2)
Power to inspect a regulated pool for compliance when a pool safety complaint notice, or section 245I or 245UA notice is received.	Section 246ADA(2)
Power to take necessary enforcement action to ensure the pool complies with the pool safety standard or fencing standards for the pool.	Section 246ADA(5)
Power to cancel pool safety certificate for a regulated pool.	Section 246AF(2)
Power to give the QBCC commissioner notice of the cancellation of the pool safety certificate for a regulated pool.	Section 246AF(3)
Power to give a show cause notice before cancelling a pool safety certificate.	Section 246AG(1)
Power to consider submissions and decide whether to cancel a pool safety certificate.	Section 246AG(5)
Power to give the owner notice of the decision.	Section 246AG(6)
Power to give the owner an information notice about the decision.	Section 246AG(7)
Power to appoint or employ a pool safety inspector to conduct an inspection of a pool in the circumstances referred to in subsection (1).	Section 246AH

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to keep a record of a notice mentioned in section 246ADA(1) and the results of the inspection carried out under section 246ADA.	Section 246AIA
Power to comply with a request for information from the QBCC commissioner.	Section 246AIB(2)
Power to give the QBCC commissioner notice of each existing regulated pool in Council's local government area of which it has a record.	Section 246AQ
Power to give the swimming pool safety advisory information to the owner of each non-certificate regulated pool in its local government area.	Section 246ATC
Power to, by gazette notice, designate land as a transport noise corridor.	Section 246X
Power to give a notice ('enforcement notice') to the owner of a building, structure or building work.	Section 248(1)
Power to give an enforcement notice to a person who does not comply with a particular matter in the <i>Building Act 1975</i> .	Section 248(2)
Power to give a person a show cause notice.	Section 248(3)
Power, as local government, to make a complaint for an offence against section 245K, 245L or 246AR(2) of the <i>Building Act 1975</i> .	Section 256(2)(e)
Power, as local government, to make a complaint for an offence against section 246AD(2) or 246AJ(4) of the <i>Building Act 1975</i> .	Section 256(2)(f)
Power, as local government, to make a complaint for an offence against section 246AP(2) of the <i>Building Act 1975</i> .	Section 256(2)(g)
Power, as local government, to make a complaint for an offence against chapter 8, part 4, division 5, subdivision 2, other than section 246ATH(2) of the <i>Building Act 1975</i> .	Section 256(2)(h)
Power, as local government, to authorise a person to make a complaint for an offence against chapter 8, part 4, division 5, subdivision 2, other than section 246ATH(2) of the <i>Building Act 1975</i> .	Section 256(2)(h)
Power, as local government, to make a complaint for an offence against chapter 8, part 5 of the <i>Building Act 1975</i> .	Section 256(2)(i)
Power, as local government, to authorise a person to make a complaint for an offence against chapter 8, part 5 of the <i>Building Act 1975</i> .	Section 256(2)(i)
Power, as local government, to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i> .	Section 256(2)(k)
Power, as local government, to authorise a person to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i> .	Section 256(2)(k)
Power to extend the time for an owner of a swimming pool to comply with section 235 (where an extension under section 49H(11)(b) of the <i>Local Government Act 1936</i> is still in force.	Section 262

2. To exercise powers of Council as a delegated officer pursuant to the *Building Regulation 2006*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, if it is not practicable to show each of the designated bush fire prone area in Council's planning scheme maps, to:- <ol style="list-style-type: none"> (a) prepare maps showing the areas; and (b) ensure the maps are updated. 	Section 12(4)
Power to keep a register of the flood hazard areas Council designates and when each designation was made.	Section 13(4)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: COASTAL PROTECTION AND MANAGEMENT

Delegation by the Council to:

Date: 17 September 2020

Chief Executive Officer

Source of Authority:

Local Government Act 2009 - Section 257

Coastal Protection and Management Act 1995

Delegated Power:

1. To exercise the powers of Council pursuant to the *Coastal Protection and Management Act 1995*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make submissions to the Minister regarding a draft coastal plan.	Section 25(2)(d)
Power to make a copy of a draft coastal plan available for inspection by the public.	Section 25(5)
Power to comply with a request from the Chief Executive to carry out particular activities necessary to implement a coastal plan.	Section 34(2)
Power to:- (a) make submissions to the Minister before a regulation, pursuant to section 54(1)(b), is made declaring, changing the boundaries of or abolishing a coastal management district; and (b) when making a submission, ask the Minister for a response on the submission.	Section 57
Power to appeal against the chief executive's decision to give a coastal protection notice to Council.	Section 59(5)
Power to appeal against the chief executive's decision to give a tidal works notice to Council.	Section 60(7)
Power, as an owner of land or as a party with an interest in the land, to:- (a) give written notice to the chief executive claiming compensation at any time during, or within 3 months after, the chief executive's occupation and use of the land; and (b) make an agreement with the chief executive concerning the amount of compensation payable.	Section 68(5), (6) and (9)
Power to keep available for inspection by the public any document given to Council under section 70(2)(c) or 71(2)(b).	Section 72
Power to make an application to the chief executive for an allocation of quarry material in tidal water.	Section 73
Power to make a submission to the chief executive about Council's views on the removal of quarry material or placement of spoil regarding an application for allocation of quarry material.	Section 75(3)(c)

Power, as an allocation notice holder, to give the chief executive written notice:- a) about the quantity of quarry material removed under the allocation in a period where a condition requires it; or b) about the quantity of quarry material removed under the allocation in a quarter within 20 business days after the end of a quarter.	Section 80(2)
Power, as an allocation notice holder, to apply to the chief executive to transfer all or part of the allocation to another person.	Section 82
Power, as an allocation notice holder, to apply to the chief executive officer to renew the allocation notice.	Section 83
Power, as an allocation notice holder, to make representations to the chief executive showing why the allocation notice should not be amended, suspended or cancelled.	Section 86(1)
Power, as an allocation notice holder, to surrender the allocation.	Section 88
Power to endorse a plan of subdivision with Council's acceptance of trusteeship of the reserve.	Section 115B(5)(a)
Power to certify a plan of subdivision which shows an artificial waterway.	Section 119(2)
Power to maintain and keep clean each canal in its area and access channel for a canal in its area, whether or not the access channel is in its area.	Section 121
Power:- (a) as an owner of freehold land; or (b) an occupier of land, other than freehold land, adjacent to State tidal land; or (c) as a public utility provider; or (d) as a trustee under any law or agreement, to occupy and use State tidal land to carry out tidal works in accordance with a development permit or to maintain and use infrastructure constructed as part of tidal works.	Section 123(5)
Power:- (a) as an owner of freehold land adjacent to State tidal land; or (b) as an occupier of land, other than freehold land, adjacent to State tidal land ;or (c) as a public utility provider; or (d) as a trustee under any law or agreement, to ensure that tidal works are maintained in a safe condition.	Section 124
Power, as an owner or occupier of land, to allow an authorised person to enter the land.	Section 134(3)(a)
Power to claim compensation if Council incurs a loss or expense because of the exercise or purported exercise of a power under chapter 3, part 2, division 1 by an authorised person.	Section 136
Power, as an owner of an interest in land, to claim compensation if the existing use that may be made of the land is changed by a prohibition imposed by the coastal plan or the declaration of a coastal management district.	Section 150 and 152

Power, as an owner of an interest in land, to appeal against the decision of the chief executive regarding a claim for compensation under section 150.	Section 153(3) and (4)
Power to make an appeal to the Planning and Environment Court against the chief executive's decision to give Council a coastal protection or tidal works notice.	Section 159
Power to bring a proceeding in the Planning and Environment Court for a declaration about a matter done, to be done or that should have been done, for chapter 2, part 3, division 2.	Section 164A
Power to:- (a) where the chief executive has delegated powers under the <i>Coastal Protection and Management Act 1995</i> , to exercise those powers; and (b) sub-delegate the powers delegated by the chief executive under subsection (1) to an appropriately qualified entity.	Section 165
Power to elect not to be the assessment manager (in which case Council cannot be a referral agency) for an application to make a minor change to a deemed approval under section 177.	Section 190
Power to elect not to be the responsible entity for a request to make a permissible change to a deemed approval under section 177.	Section 193
Power to elect not to be the responsible entity for a change application.	Section 206(5)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.

2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: DISASTER MANAGEMENT

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257
Disaster Management Act 2003
Disaster Management Regulation 2014

Delegated Power:

1. To exercise the powers of council as a delegated officer pursuant to the *Disaster Management Act 2003*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to establish a Local Disaster Management Group for the local government area.	Section 29
Power to agree to unite with one or more other local government/s for the purpose of establishing a local group.	Section 31
Power to provide, at least once a year, written notice of the members of a Local Disaster Management Group to the chief executive and the chairperson for the disaster district in which the Local Disaster Management Group is situated.	Section 37
Power to prepare a local disaster management plan for disaster management in the local government's area.	Section 57(1)
Power to review, or renew, its local disaster management plan when local government considers it appropriate.	Section 59
Power to, on payment of the appropriate fee, give a person a copy of the local disaster management plan.	Section 60
Power to agree to unite with one or more other local governments for the purpose of preparing a local disaster management plan.	Section 61

2. To exercise the powers of council as a delegated officer pursuant to the *Disaster Management Regulation 2014*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to appoint a person to a district disaster management group for a disaster district.	Section 5(1)
Power to inform the chief executive of the department, and the chairperson of the district group, of an appointment under section 5(1).	Section 5(6)
Power to nominate a person to a temporary district disaster management group.	Section 7(1)
Power to appoint a person as a member of a local disaster management group.	Section 9(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to appoint a chairperson and deputy chairperson of a local disaster management group.	Section 10(1)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for a Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: ENVIRONMENTAL OFFSET	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>Environmental Offsets Act 2014</i> <i>Environmental Offsets Regulation 2014</i>	

Delegated Power:

1. To exercise the powers of Council pursuant to the *Environmental Offset Act 2014*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make an environmental offsets policy available for inspection	Section 12(3)
Power, as an administering agency, to impose an offset condition if the circumstances in sections 14 and 15 apply.	Sections 14 and 15
Power to consider a notice of election and any offset delivery plan.	Section 19(1)
Power to decide whether it is appropriate to deliver the environmental offset in the way stated in the notice of election, and any offset delivery plan, or whether the offset should be delivered in a different way and to give notice of the decision.	Section 19(2) and 19(3)
Power to agree to amend either or both of the agreed delivery arrangement and an offset delivery plan.	Section 19(7)
Power to give the notice required to be given under subsection (4).	Section 19A
Power to enter another agreed delivery arrangement.	Section 20
Power to decide an application to remove duplicate conditions, make other amendments to the authority, and give notice of the decision.	Section 25A
Power, as a relevant agency, to enter an environmental offset agreement.	Section 26
Power, as a relevant agency, to enter another environmental offset agreement that varies, or terminates and replaces, an earlier environmental offset agreement.	Section 28
Power, in the circumstance specified in subsection 35(1)(a), to give a compliance notice in relation to the terms of the environmental offset agreement.	Section 35
Power, where Council has given a compliance notice and the person contravenes it by not doing something, to do the thing and recover any reasonable costs or expenses incurred in doing it as a debt.	Section 39
Power to credit amounts received by Council as a financial settlement offset to Council's trust fund.	Section 89(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to transfer an amount received by Council as a financial settlement offset in one of the circumstances listed in subsection (2).	Section 89(2)
Power, as an administering agency, to keep a register of the matters listed in subsection one, make the register available for inspection and give information held on the register to the chief executive.	Section 90
Power, as an administering agency, to decide an application to amend:- (a) an existing authority; (b) an authority granted, on or after commencement, as the result of an application that was made but not dealt with, before commencement, and to do all things authorised or required by section 95B following the making of the decision.	Section 95B

2. To exercise the powers of Council pursuant to the *Environmental Offset Regulation 2014*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an owner of land proposed to be included within a new area covered by a later environmental offset agreement, to decide whether or not to consent to the amended declaration of the environmental offset protection area.	Section 11(3)(c)
Power, as a decision maker, to decide an application for an area of land to be identified as an advanced offset and to do all things authorised or required by section 14 following the making of the decision.	Section 14
Power, as a decision maker, to remove an advanced offset from the register kept under section 90 of the Act.	Section 14(7)
Power, as a decision maker, to decide an application to vary the boundary of an area of land identified as an advanced offset and to do all things authorised or required by section 15 following the making of the decision.	Section 15
Power, as a relevant entity, to extend the time for applying for internal review.	Section 18(2)
Power, as a relevant entity, to review a reviewable decision, make an internal review decision and to do all things authorised or required by section 19 following the making of the decision.	Section 19

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and

- b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position

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- 1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 - 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: ENVIRONMENTAL PROTECTION

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257
Environmental Protection (Water & Wetland Biodiversity) Policy 2019
Environmental Protection Act 1994
Environmental Protection Regulation 2008

Delegated Power:

1. To exercise powers of the council pursuant to the *Environmental Protection (Water and Wetland) Policy 2019*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a recognised entity, in cooperation with the chief executive, to develop and implement a healthy waters management plan.	Section 16(2)

2. To exercise powers of the council pursuant to the *Environmental Protection Act 1994*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an affected person, to make written comments to the chief executive about a TOR notice.	Sections 42 and 43
Power to make a written submission about a submitted EIS.	Section 54
Power, as an administering authority, to give an applicant a notice about an application that is not a properly made application.	Section 128
Power to agree a further period within which the applicant must give notice under section 128	Section 129
Power, as an administering authority, to give a notice about an application made by joint applicants, to the principal applicant nominated in the application.	Section 130
Power, as an administering authority, to refuse to allow a change to an application if the change would result in the application not being a properly made application and the applicant does not take action to make the remade application properly made.	Section 132
Power, as an administering authority, to give written agreement that a change to an application is a minor change.	Section 133
Power, as an administering authority, to determine satisfaction that the requirements under the application stage have been complied with.	Section 136(b)(i)
Power, as an administering authority, to make a written information request to the applicant to give further information needed to assess the application.	Section 140

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an administering authority, to agree to extend the applicant's information request response period.	Sections 145 and 147
Power, as an administering authority, to determine not to make an information request.	Section 148(b)(i)
Power, as an administering authority, to determine the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.	Section 150(1)(d)
Power, as an administering authority, to give the applicant an information notice prescribing an additional or substituted way to give public notice of an application.	Section 152
Power to decide to allow or not allow substantial compliance with public notice requirements.	Section 159
Power, as an administering authority, to by written notice to the applicant extend the decision period and further extend the decision period with the written agreement of the applicant.	Section 168
Power, as an administering authority, to approve a standard application subject to the standard conditions for the relevant activity or authority.	Section 170
Power, as an administering authority, to approve a variation application subject to the standard conditions for the relevant activity or authority or subject to conditions which are different to the standard conditions for the activity or authority.	Section 171
Power, as an administering authority, to refuse a site- specific application or approve a site-specific application subject to conditions.	Section 172
Power, as an administering authority, to include a copy of the environmental authority in the relevant register.	Section 177
Power, as an administering authority, to issue an environmental authority.	Section 195
Power, as an administering authority, to include a copy of an environmental authority in the relevant register.	Section 197
Power, as an administering authority, to give an information notice to the applicant for an environmental authority.	Section 198(2)
Power, as an administering authority, to give an information notice about the decision to any submitter for the application.	Section 198 (4)
Power, as an administering authority, to impose a condition on an environmental authority or draft environmental authority to which section 115 applies.	Section 203
Power, as an administering authority, to amend an environmental authority to correct a clerical or formal error by giving written notice to the holder but only if the amendment does not adversely affect the interests of the holder or anyone else.	Section 211
Power, as an administering authority, to amend an existing environmental authority issued subject to conditions to replace the existing standard conditions with new standard conditions issued by the chief executive and to give written notice of the amendment to the environmental authority holder.	Section 213

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an administering authority, to make an amendment to an environmental authority which is necessary or desirable because of a matter mentioned in section 215(2) or if the holder has agreed in writing to the amendment.	Section 215
Power, as an administering authority, to make other amendments to an environmental authority in accordance with the procedure required by Chapter 5, Part 6, Division 2 or with the written agreement of the authority holder.	Sections 216 and 219
Power, as an administering authority, to refuse an amendment application to which section 227A(1) applies, to require the environmental authority holder to make a site specific application and to give written notice of the refusal to the applicant.	Section 227A
Power, as an administering authority, to decide whether an application made by the holder of an environmental authority to amend the authority is a minor or major amendment.	Section 228
Power, as an administering authority, to set the submission period for the application by written notice.	Section 234
Power, as an administering authority, to give written agreement to the continued assessment of a changed application to amend an environmental authority.	Section 237
Power, as an administering authority, to request further information needed to assess a changed amendment application which is not a minor change and to which the information stage applies.	Section 238(3)
Power, as an administering authority, to decide that the notification stage be repeated in respect of a changed amendment application which would be likely to attract a submission objecting to the change.	Section 238(7)
Power, as an administering authority, to:- (a) decide to approve or refuse an amendment application; (b) if the amendment is approved, to make other amendments to the conditions of the environmental authority; (c) give notice of the decision to the applicant; and (d) include a copy of any amended environmental authority in the register.	Section 240 and 242
Power, as an administering authority, to decide to approve an application to amalgamate environmental authorities or refuse an amalgamation application to which section 247(1)(b) applies.	Section 247
Power, as an administering authority, to:- (a) de-amalgamate an environmental authority; (b) issue 2 or more environmental authorities; and (c) include each environmental authority in the relevant register.	Section 250C
Power, as an administering authority, to approve or refuse an application by the holder of an environmental authority to transfer all or part of the environmental authority to another entity.	Section 254
Power, as an administering authority, to decide whether a final rehabilitation report includes enough information to decide that the requirements in section 264(1)(b)(i) and 264(1)(b)(ii) have been met.	Section 264

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an administering authority, to make a written request to an applicant to give further information needed to assess an application to surrender an environmental authority.	Section 265
Power, as an administering authority, to approve or refuse a surrender application.	Section 266
Power, as an administering authority, to:- (a) cancel or suspend an environmental authority if an event mentioned in section 278(2) has occurred; (b) follow the procedures in Chapter 5, Part 11, Division 2; and to (c) give notice of the decision; and (d) record the action in the relevant register.	Sections 278, 279, 280, 281, 282, and 283 and 284
Power, as an administering authority, to approve or refuse an application made by the holder of an environmental authority to suspend the environmental authority.	Section 284C
Power, as an administering authority, to impose a condition on an environmental authority requiring the holder to give financial assurances as security for compliance with the environmental authority and for costs or expenses mentioned in section 298.	Section 292
Power, as an administering authority, to decide the amount and form of financial assurance required under a condition of an environmental authority.	Section 295
Power, as an administering authority, to give notice of the decision under section 295(1).	Section 296
Power, as an administering authority, to decide to make a claim on or realise a financial assurance.	Section 301
Power, as an administering authority, to by written notice require an applicant to give a compliance statement for a financial assurance before deciding an application to amend or discharge the financial assurance.	Section 304
Power, as an administering authority, to approve or refuse an application by the holder of an environmental authority to amend the amount or form of a financial assurance stated in a notice given under section 296 or to discharge a financial assurance.	Section 305
Power, as an administering authority, to require a change of the amount of a financial assurance.	Section 306
Power, as an administering authority to, in the circumstances referred to in subsection (1), give notice stating how much of the financial assurance has been used and requiring it be replenished.	Section 307
Power, as the administering authority, to recover from the holder of an environmental authority as a debt, outstanding annual fees.	Section 308
Power, as an administering authority, to change the anniversary day for an environmental authority for which an annual fee is prescribed, in the circumstances provided for by section 310(1)(a) and 310(1)(b).	Section 310
Power, as an administering authority, to change an anniversary day for an environmental authority.	Section 311

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an administering authority, to, in the circumstances specified in section 314(1)(a) and 314(1)(b):- (a) require the holder of the environmental authority to make a site-specific application for a new environmental authority under Chapter 5 Part 2 or make an amendment application for the authority under Chapter 5 Part 7; and (b) give written notice of the proposed requirement prior to making it.	Section 314
Power, as an administering authority, to ask any entity for advice, comment or information about an application made under Chapter 5.	Section 315
Power to make submissions about a proposed ERA standard.	Section 318A
Power, as person aware of an event described in section 320A, to give written notice of the event, its nature and the circumstances in which it happened to the administering authority, any occupier of the affected land or any registered owner of the affected land, or by public notice.	Section 320C
Power, as employer aware of an event described in section 320A, to give written notice of the event, its nature and the circumstances in which it happened to the administering authority, any occupier of the affected land or any registered owner of the affected land, or by public notice.	Section 320D
Power, as a person mentioned in section 320A(2)(a), to within 24 hours after becoming aware of an event or change mentioned in section 320A(2)(b)(i) or (ii) give the administering authority written notice of the matters stated in subsection (2).	Section 320DA(1)
Power, as a person mentioned in section 320A(2)(a), to within 20 business days after becoming aware of an event or change mentioned in section 320A(2)(b)(iii) give the administering authority written notice of the activity.	Section 320DA(3)
Power, as a local government mentioned in section 320(3)(a), to within 20 business days after becoming aware that the activity has been, or is being, carried out on land in its area, give the administering authority written notice.	Section 320DB(1)
Power, as a local government mentioned in section 320(3)(b), to within 24 hours after becoming aware of the event or the change in condition of the land give the administering authority written notice.	Section 320DB(2)
Power, as an administering authority, to require a person to conduct or commission an environmental audit and give an environmental report about the audit.	Sections 322 and 323
Power, as an administering authority, to require a person to conduct or commission an environmental investigation.	Section 326B
Power, as an administering authority, to ask for further information.	Section 326F
Power, as an administering authority, to accept the report or refuse to accept the report and to give notice of the decision.	Section 326G
Power, as an administering authority which has accepted an environmental report under section 326G, to do 1 or more of the things listed in subsection (1).	Section 326H
Power, as an administering authority which has refused to accept an environmental report under section 326G(4)(b), to, by written notice, require the recipient to conduct or commission another environmental investigation and submit a report on the investigation.	Section 326I

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an administering authority, to require a person or public authority to submit a draft transitional environmental program.	Section 332
Power to submit a draft transitional environmental program to the administering authority for approval.	Section 333
Power, as an administering authority, to by written notice require the person or public authority that submitted the draft transitional environmental authority to give further information.	Section 334A
Power to make a submission in relation to a draft transitional environmental program.	Section 335
Power, as an administering authority, to invite parties to a conference to help it determine whether or not to approve a draft transitional environmental program.	Section 336
Power, as an administering authority, to seek advice, comment or information about a TEP submission.	Section 336A
Power, as an administering authority, to extend the period for decision about a draft transitional environmental program and approve a draft transitional environmental program.	Section 337
Power, as an administering authority, to:- (a) approve a draft transitional environmental program as submitted or with amendments requested or agreed to by the administering authority; or (b) refuse to approve a draft transitional environmental program.	Section 339(1)
Power, as an administering authority, to impose on an approval of a draft transitional environmental program:- (a) any conditions the authority must impose under a regulatory requirement; and (b) any other conditions the administering authority considers appropriate.	Section 339(2)
Power, as an administering authority, to give a person or public authority who submitted a draft transitional environmental program for approval written notice of the decision.	Section 340
Power, as an administering authority, to approve a draft transitional environmental program if there has been substantial compliance with public notice requirements.	Section 342
Power, as an administering authority, to consider and approve or refuse an application to amend a transitional environmental program.	Section 344
Power, as an administering authority, to cancel the approval for a transition environmental program, give notice of the decision or record details of the decision in a register.	Section 344E
Power, as an administering authority, to withdraw the notice or remove the record.	Section 344F
Power, as an administering authority, to give the holder of the environmental authority a copy of the authority that does not include the note.	Section 344G
Power, as an administering authority, to apply to the Court for an order that section 353(1) does not apply.	Section 355

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an administering authority who has made an application to the Court under section 355, to apply to the Court for an order pending decision on the application.	Section 357(2)
Power, as administering authority, to – <ul style="list-style-type: none"> grant an application for a temporary emissions licence, with or without conditions, as submitted or on different terms than have been requested in the application; or refuse to grant the application for a temporary emissions licence. 	Sections 357C, 357D and 357E
Power, as administering authority, to amend, cancel or suspend a temporary emissions licence.	Section 357J
Power, as holder of a temporary emissions licence, to give written agreement to the amendment of the licence.	Section 357J
Power, as an administering authority, to issue an environment protection order.	Section 358
Power, as an administering authority, to decide a person has a relevant connection with a company.	Section 363AB
Power, as an administering authority, to issue an environmental protection order to a related person of the company.	Section 363AC
Power, as an administering authority, to issue an environmental protection order to a related person of a high risk company.	Section 363AD
Power, as an administering authority, to issue a cost recovery notice to the recipient.	Section 363AI
Power, as an administering authority, to claim the amount from the recipient as a debt.	Section 363AI(7)
Power, as the land's owner, to make a written submission to the administering authority in response to a show cause notice issued pursuant to section 375.	Section 376
Power, as owner, to consent to another party entering its land to conduct or commission remediation works. Power, to give the administering authority:- <ul style="list-style-type: none"> (a) a contaminated land investigation document accompanied by a declaration and a statement; and (b) a statement as owner of the land agreeing to the draft plan. 	Section 390
Power, as a prescribed responsible person, to make a written submission in response to a show cause notice issued pursuant to section 391.	Section 392(1)
Power, as a prescribed responsible person, to comply with a notice issued by the administering authority pursuant to this section.	Section 394(5)
Power, as a prescribed responsible person, to:- <ul style="list-style-type: none"> (a) obtain the consent of the owner or occupier to enter the land; (b) give the owner or occupier written notice of the intention to enter the land; (c) agree with the owner or occupier about reasonable compensation because of the loss or damage; and (d) appear in any proceeding before a court of competent jurisdiction (including instructing a legal representative to appear) where agreement about compensation cannot be reached. 	Section 395

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a prescribed responsible person, to comply with a requirement of the administering authority given pursuant to this section.	Section 397
Power to apply to amend a site management plan and to comply with Chapter 7, Part 8, Division 3, Subdivisions 2 to 4 as they relate to the application.	Section 402
Power, as owner or occupier of land, to consent to the amendment of a site management plan for the land by the administering authority.	Section 403
Power, as the person who released the contaminant, the relevant local government or the owner of the land, to prepare a draft amendment of a site management plan if requested to do so by the administering authority and to comply with Chapter 7, Part 8, Division 3, Subdivisions 2 to 5 as they relate to the draft amendment.	Section 404
Power, as owner of land, to give a lessee or proposed lessee notice that particulars of the land have been recorded in the contaminated land register.	Section 407
Power, as an owner of land in a circumstance listed in subsection (1), to give the notice required by subsection (2).	Section 408
Power, as an administering authority, to require a person to provide information for the enforcement or administration of this Act.	Section 451
Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 452
Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 454
Power, as an administering authority, to issue a notice that an authorised person will enter land.	Section 454(3)(b) and (4)
Power, as the occupier of access land, to consent to an authorised person's entry onto the land.	Section 455
Power as a person to whom an emergency direction is given to comply with the direction and to take the steps required by subsection (b).	Section 478
Power, as an administering authority, to waive payment of costs of investigation or remediation work.	Section 489
Power, as an administering authority, to make an application to the court for an order against a defendant for costs.	Section 501 (1)(c)
Power, as an administering authority, to carry out work or take other action reasonably necessary where a person has failed to comply with an order made under section 502.	Section 502A(2)
Power, as an administering authority, to make an application to the Court to remedy or restrain an offence against this Act.	Section 505
Power, as a person who has made an application pursuant to section 505, to seek an order of the Court pending determination of the application.	Section 506

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the administering authority, to: <ul style="list-style-type: none"> (a) accept or reject an enforceable undertaking; (b) given written notice of the decision and the reasons for the decision (c) publish a copy of any undertaking on Council's website; and take all reasonable steps to have any proceedings in relation to the contravention discontinued. (d) take all reasonable steps to have any proceedings in relation to the contravention discontinued. 	Section 507
Power, as the administering authority, to agree in writing to the withdrawal or variation of an enforceable undertaking and to publish notice of the withdrawal or variation on Council's website.	Section 509
Power, as the administering authority, to amend an enforceable undertaking by written agreement.	Section 510
Power, as the administering authority, to make an amendment to an enforceable undertaking to correct a clerical or formal error and give written notice of the amendment.	Section 511
Power, as the administering authority, to:- <ul style="list-style-type: none"> (a) amend or suspend an enforceable undertaking where satisfied one of the circumstances in subsections 512(1)(a) to (d) apply; and (b) comply with the requirements of subsection 512(2) to (7). 	Section 512
Power, as the administering authority, to apply to the Magistrates Court for an order if a person contravenes an enforceable undertaking.	Section 513(2)
Power to exercise all the powers of the chief executive that have been delegated to Council. (Sub-section (2) permits sub delegation of these powers to a qualified entity).	Section 516
Power, where the chief executive has delegated the powers as an administering authority to Council, to exercise those delegated powers.	Section 518(1)(a)(ii)
Power, as an administering authority, to review a decision.	Section 521(5)
Power, as a dissatisfied person, to apply for a review of an original decision.	Section 521
Power, as a dissatisfied person that has applied for a review under section 521, to apply to the Planning and Environment Court or the Land Court for a stay of operation of the original decision.	Section 522
Power, as a dissatisfied person, to appeal to the Land Court against a review decision of an original decision mentioned in schedule 2, part 1.	Section 524
Power, as a dissatisfied person, to appeal to the Planning and Environment Court against a review decision of an original decision, other than a review decision to which Chapter 11, Part 3, Division 3, Subdivision 1 of this Act applies or a review decision that relates to an original decision mentioned in Schedule 2, Part 3.	Section 531
Power, as an administering authority, keep the registers listed in section 540(1) and keep them available for inspection.	Section 540, 541 and 542
Power, as an administering authority, to prepare and submit a report to the chief executive.	Section 546

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an administering authority, to consider and decide a request for the issue of a temporary authority.	Section 547C(1) and (2)
Power, as an administering authority, to give the person written notice of the decision to refuse the issue of a temporary authority and the reasons for the decision.	Section 547C(3)
Power, as an administering authority, to issue a temporary authority by giving a written notice.	Section 547D(2)
Power, as an administering authority, to consult with the chief executive about guidelines the chief executive proposes for administering authorities.	Section 548(3)
Power to consult with the chief executive about guidelines the chief executive proposes.	Section 549(3)
Power, in the circumstance referred to in subsection 574BA(1), to recover the administering authorities reasonable costs and expenses in performing the function.	Section 547BA
Power, as an administering authority, to request written notice of damage caused to land or something on the land by a person who enters land under an entry order.	Section 578
Power, as the owner or occupier of the land, to claim compensation for any compensatable effect in a proceeding brought in a court of competent jurisdiction.	Section 579(4)
Power, as an administering authority, to change or cancel a condition of an environmental authority given continuing effect under section 619(2)(d) or 619(4)(d) of this Act.	Section 620
Power, as an administering authority, in relation to an activity being carried out under section 619(1) of this Act, to give the person carrying out the activity a development approval and a registration certificate.	Section 621
Power, as an administering authority, to give the registered operator for a level 1 approval for a level 1 chapter 4 activity taken to be a registration certificate under section 619, a notice stating that section 316 applies to the registration certificate.	Section 623
Power, as an administering authority, to amend a condition about financial assurance imposed under Chapter 13 Part 7.	Section 634
Power, as an administering authority, to consider or continue to consider, a draft transitional program submitted under section 332 or 333 before 4 April 2011 and decide whether to approve it under the unamended Act.	Section 671(2)
Power, as an administering authority, to approve or refuse an application made by the holder of a transitional authority, to convert the conditions of the transitional authority to the standard conditions for the authority or relevant activity.	Section 697
Power, as an administering authority, to approve an application to convert a surrendered registration certificate to an environmental authority that has been suspended under Chapter 5, Part 11A of this Act.	Section 698B
Power, as an administering authority, to amend an environmental authority to which a requirement applies to impose a condition about the financial assurance and to give written notice of the amendment to the authority holder.	Section 699

3. To exercise powers of the Council pursuant to the Environmental *Protection Regulation 2019*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, where Council is a referral agency for a development application for a material change of use for a concurrence ERA to assess the development application against the matters stated in subsection 19(2)(a) to (c).	Section 19(4)
Power, as an administering authority making an environmental management decision relating to an environmentally relevant activity, other than a prescribed ERA to do those things required in subsections 35(1)(a) to 35(1)(e).	Section 35(1)
Power, as an administering authority making an environmental management decision relating to a prescribed ERA to do those things required in subsections 35(3)(a) and 35(3)(b).	Section 35(3)
Power, as an administering authority making an environmental management decision relating to an activity, to consider whether to impose conditions about each of the matters listed in subsections 36(1)(a) to 36(1)(m).	Section 36(1)
Power, as an administering authority making an environmental management decision relating to an activity, to consider whether to impose monitoring conditions about the release of contaminants from the activity on the receiving environment.	Section 37
Power, as an administering authority making an environmental management decision relating to an activity that involves, or may involve, the release of water or waste to a wetland for treatment, to refuse to grant the application for a reason listed in subsection 40(2).	Section 40
Power, as an administering authority making an environmental management decision relating to an activity that involves, or may involve, the release of water or waste directly to groundwater, to refuse to grant the application for a reason listed in subsection 40(2).	Section 41
Power, as an administering authority in the circumstances set out in subsection 41AA(1), to refuse to grant the application if the relevant activity will, or may have, a residual impact.	Section 41AA(3)
Power, as a person who generates waste, if required by an authorised person, to retest the waste under chapter 5, part 1, division 2.	Section 47
Power, as a generator of waste in the circumstances prescribed in subsection 51(1), to notify the administering authority of the change within 24 hours after receiving the test results for the retesting.	Section 51(2)
Power, as a generator of waste in the circumstances prescribed in subsection 51(1), to give a written report to the administering authority containing those things prescribed in subsection 51(3).	Section 51(3)
Power, as a generator of tested waste in the State, to:- (a) for each load of the waste transported to a receiver, record the prescribed information for the load in the approved form; (b) give the prescribed information for the load to the receiver; and (c) keep the record mentioned in subsection 52(1) for at least 5 years.	Section 52

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a receiver in the State who is given a load of tested waste, to:- (a) record the prescribed information for the load in the approved form; (b) within 24 hours after becoming aware of an omission or inaccuracy in the prescribed information, give written notice of the omission or inaccuracy to the administering authority; and (c) keep the record mentioned in subsection 53(2) for at least 5 years.	Section 53
Power, as a waste handler to pay the fee to the chief executive when giving prescribed information about the transportation of trackable waste to the administering authority.	Section 73
Power, as a generator, to give the transporter the prescribed information about the waste in the prescribed form and to record the prescribed information about the waste.	Section 78(1)
Power, as a generator, to give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period after giving the waste to the transporter.	Section 78(2)
Power, as a transporter, to give the receiver the prescribed information about the waste and to record the prescribed information about the waste.	Section 79(2)
Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.	Section 79(3)
Power, as a transporter, to keep the record mentioned in subsection 79(2)(b) for at least 5 years.	Section 79(4)
Power, as a receiver, to record the prescribed information about the waste.	Section 80(1)
Power, as a receiver, to give a copy of the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period.	Section 80(2)
Power, as a receiver, to give the administering authority written notice of a discrepancy in information received from the transporter.	Section 80(3)
Power, as a transporter, to keep the record mentioned in subsection 80(1) for at least 5 years.	Section 80(4)
Power, as a receiver, to record the prescribed information about the waste.	Section 84(1)
Power, as a receiver, to give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period.	Section 84(2)
Power, as a receiver, to give the administering authority written notice of a discrepancy in information received from the transporter.	Section 84(3)
Power, as a receiver, to keep the record mentioned in subsection 84(1) for at least 5 years.	Section 84(4)
Power, as a generator, to give the transporter the prescribed information about the waste and to record the prescribed information about the waste.	Section 87(1)
Power, as a generator, to give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period.	Section 87(2)
Power, as a receiver, to keep the record mentioned in subsection 87(1)(b) for at least 5 years.	Section 87(4)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.	Section 88(2)
Power to apply to the administering executive for approval of a particular way of giving prescribed information to the administering authority under division 3 and to take all steps necessary to advance the application.	Section 92
Power to apply to the administering executive for a consignment number for a load of trackable waste to be transported into Queensland and to take all steps necessary to advance the application.	Section 93
Power to apply to the administering executive for an exemption for the transportation of trackable waste to which Chapter 5, Part 9 applies and to take all steps necessary to advance the application.	Section 94
Power to apply to the administering executive for a generator identification number.	Section 97
Power to require an owner or occupier of relevant premises to supply waste containers other than standard general waste containers.	Section 101(1)(b)
Power to supply premises with standard general waste containers.	Section 101(2)
Power to require a waste container to be kept at a particular place at a premises.	Section 103(1)(a)
Power to require a prescribed person of serviced premises, other than a detached dwelling, to supply: <ul style="list-style-type: none"> (a) an elevated stand at a level required by Council; or (b) an imperviously paved and drained area for the waste containers, and (c) a hose cock and hose in the vicinity of the stand or paved area; and (d) a suitable enclosure for the waste containers. 	Section 104(2)
Power to give a written notice about the removal of general waste.	Section 105
Power to give a written approval to the owner or occupier of relevant premises for depositing or disposing of general waste and to impose conditions on the approval.	Section 106
Power to require the occupier of relevant premises where there is industrial waste to: <ul style="list-style-type: none"> (a) supply industrial waste containers; (b) keep the waste containers at a place at the premises that Council requires; and keep each waste container clean and in good repair.	Section 107(1)
Power, where the occupier does not supply the waste containers required under subsection 107(1)(a), to supply industrial waste containers.	Section 107(2)
Power to require occupier of relevant premises where there is industrial waste, to treat the waste to the standard approved by Council for disposal of the waste at a waste facility.	Section 108
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to give the chief executive the information identified in subsection 117(2).	Section 117(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to comply with a notice issued by the chief executive pursuant to subsection 117(6).	Section 117(7)
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to keep the information listed in section 119.	Section 119
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to make written representations to the Minister in response to a notice issued pursuant to subsection 120(4).	Section 120
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to apply to the chief executive for an estimation technique approval and to respond to any request for further information.	Section 123
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to give the chief executive a written notice claiming that the information required to be given under section 117(2) or (7) should be treated as confidential and to respond to any requests for further information.	Section 127
Power to administer and enforce those provisions of the Act devolved to Council under Chapter 8, Part 1.	Sections 130, 131, 132, 133, 134, 135 and 136
Power, as an administering authority, to recover as a debt an unpaid fee under the Act.	Section 155
Power, as a holder, to give the chief executive the documents listed in subsection 166(1).	Section 166(1)
Power, as a holder, to keep the records listed in in subsections 170(a) to (d).	Section 170
Power, as a holder, to comply with a notice issued by an authorised person pursuant to subsection 171(2).	Section 171(3)
Power, as a holder, to give the administering authority written notice that eligibility for the reduced annual fee under subsections 165(1)(c)(i) or (ii) has stopped.	Section 172
Power, as an administering authority, to require by written notice the holder to pay the difference between the annual fee and the reduced annual fee.	Section 173(2)
Power, as an administering authority, to recover as a debt from the holder of an environmental authority an unpaid supplementary annual fee for an amended environmental authority.	Section 174(3)
Power, as an administering authority, to, by written notice, require the holder of an environmental authority for regulated waste transport to pay a supplementary annual fee and if unpaid, to recover the supplementary annual fee as a debt.	Section 175
Power, as an administering authority, to, by written notice, require the holder to pay:- (a) the annual fee or the outstanding amount of the fee; and the late payment fee stated in schedule 15 of the Regulation.	Section 177(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a holder, to comply with a notice issued pursuant to subsection 177(2).	Section 177(3)
Power, as a holder, to pay the administering authority a fee for its assessment of the holder's annual returns and monitoring compliance with the transitional environmental program.	Section 178(2)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: FIRE AND RESCUE SERVICES	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>Fire and Emergency Services Act 1990</i>	

Delegated Power:

1. To exercise the powers of council pursuant to the *Fire and Emergency Services Act 1990*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to comply with a requirement issued by an authorised fire officer under subsection (2).	Section 58D
Power to comply with a requisition notice.	Section 69
Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to provide information sought by the commissioner in a notice.	Section 96
Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to prepare an off-site emergency plan and to amend the plan.	Sections 97, 99 and 100
Power to pay to the commissioner charges for any advice or other assistance provided in preparation of an off-site emergency plan.	Section 98(2)
Power to implement an off-site emergency plan.	Section 101
Power to give written notice to the chief executive of a change of circumstances affecting an off-site emergency plan.	Section 102(1)
Power, as the occupier of a building, to maintain a fire and evacuation plan and to provide instructions to prescribed persons in the building concerning the action to be taken by them in the event of fire threatening the building.	Section 104E
Power to pay to the commissioner charges for any advice or other assistance provided in preparation of a fire and evacuation plan.	Section 104F(2)
Power to consult with the commissioner about a notice under section 104G(1).	Section 104G(2)
Power, as the occupier or owner of a building, to comply with a notice issued by the commissioner under section 104G(1).	Section 104G(3)
Power to consult with an authorised officer about a notice under section 104I(7) or (8).	Section 104I(9)
Power to nominate a person to be appointed an assessor by the commissioner to help QCAT in section 104SG(1) proceedings.	Section 104SI(2)(b)(ii)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to comply with a requirement issued by an authorised fire officer under subsection (2).	Section 58D
Power to comply with a requisition notice.	Section 69
Power to furnish to the chief executive a return disclosing the particulars prescribed under a regulation relating to certain properties.	Section 109(1)
Power to collect annual contributions and other amounts imposed by the local government pursuant to Part 10 of the Fire and Emergency Service Act.	Section 111(2)
Power to, in respect of each financial year: (a) determine the prescribed properties within its area; and (b) determine the annual contributions payable in respect of prescribed properties by reference to the categories prescribed under a regulation made under section 108.	Section 112(1)
Power to give the owner of a prescribed property a levy notice.	Section 112(2)
Power to give the chief executive information which is relevant to the determination of an appeal against a local government's determination, if required by the chief executive.	Section 113(3)
Power to amend, revoke or revoke and give a new levy notice if the chief executive allows an appeal.	Section 113(6)
Power to refund to the appellant any amount paid in respect of contributions, for the financial year to which the notice relates and for any previous financial year, in excess of the amount calculated in accordance with the chief executive's determination.	Section 113(7)
Power to decide the way in which it keeps an administration fee for performing functions under Part 10 of the Fire and Emergency Service Act.	Section 117(3)
Power to make payments to the department, for the fund, out of its operating fund from moneys received or recovered by the local government under Part 10.	Section 118(1)
Power to prepare and submit a return in the approved form	Section 118(4)
Power to refuse or grant, subject to any conditions, an application to pay contributions by instalments.	Section 121(2)
Power to engage a debt collector (authorised to perform a debt collection activity under the <i>Debt Collectors (Field Agents and Collection Agents) Act</i> 2014) to collect any arrears of annual contribution payable by an owner of prescribed property, and to require by notice in writing the owner to pay an amount by way of a collection fee	Section 126(1)
Power to contribute amounts raised via special rates or charges, or separate rate or charges, to rural fire brigades operating in Council's local government area.	Section 128A
Power to consult with the commissioner about the establishment of an SES unit in Council's local government area.	Section 133(2)
Power to nominate a person to be the local controller for an SES unit.	Section 134(2)
Power as a local government affected by a disaster to request the commissioner to appoint a person as a SES coordinator.	Section 136(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to comply with a requirement issued by an authorised fire officer under subsection (2).	Section 58D
Power to comply with a requisition notice.	Section 69
Power to consult with the commissioner about the appointment of a person as a SES coordinator.	Section 136(4)
Power to enter an agreement with the Department which sets out the responsibilities of each party in relation to the SES in Council's local government area.	Section 140
Power to consult with the commissioner about the establishment of an ES unit in Council's local government area.	Section 141(2)
Power to consult with the commissioner about the functions of an ES unit in Council's local government area.	Section 142(3)
Power to nominate a person to be a ES unit coordinator.	Section 146(2)
Power to produce to an authorised person any document or record mentioned in subsection (2)(b).	Section 152C(4)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: FOOD PREMISES	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>Food Act 2006</i> <i>Food Production Safety Act 2000</i>	

Delegated Power:

1. To exercise powers of the Council pursuant to the *Food Act 2006*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to administer and enforce the following provisions of the : (a) section 39(1); (b) chapters 3 and 4; (c) chapter 6, other than section 159.	Section 23(1)
Power to administer and enforce sections 32, 33, 35 and 36 of the Food Act, in conjunction with the State.	Section 24
Power to agree with the chief executive that the State may do a thing that is a matter of administration and enforcement for local government under section 23(1) of the .	Section 25(1)(a)
Power to agree with the chief executive that Council may do a thing that is a matter of administration and enforcement for the State under section 22(1) of the .	Section 25(1)(b)
Power to consult with the chief executive, and provide information required by the chief executive, about the administration and enforcement of sections 24 and 25 of the .	Section 28
Power to consider and grant, or refuse to grant, an application for a licence to carry on a licensable food business.	Section 55
Power to obtain and consider the written advice of an auditor about whether a food safety program complies with section 98.	Section 56(2)
Power to decide whether premises are suitable for carrying on a licensable food business.	Section 58
Power to make enquiries as to the suitability of the applicant to hold a licence, and the suitability of the premises for carrying on a licensable food business.	Section 59(1)(a)
Power to require the applicant to give Council further information or documents that Council reasonably requires.	Section 59(1)(b)
Power to extend the time needed to make a decision about the application.	Section 62(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to agree with the applicant, at any time prior to the final consideration day, about the day upon which the application must be decided.	Section 62(3)
Power to issue a provisional licence, at any time prior to deciding an application for a licence.	Section 64
Power to decide the term of the licence. (Note: not more than 3 years).	Section 67
Power to decide the term of the provisional licence. (Note: not more than 3 months).	Section 68(1)
Power to extend, and further extend, the term of a provisional licence (to a total period of not more than 3 months after the provisional licence was issued).	Section 68(2)
Power to impose reasonable conditions on the licence.	Section 69(1)(e)
Power to consider and renew, or refuse to renew, the licence for an application made under section 72(1) of the <i>Food Act 2006</i>	Section 72(3)
Power to consider and restore, or refuse to restore, the licence, where application has been made under section 73(1) of the <i>Food Act 2006</i> .	Section 73(3)
Power to consider and amend, or refuse to amend, a licence, where application has been made under section 74(1) of the <i>Food Act 2006</i> .	Section 74(3)
Power to require the applicant to give Council further information or documents Council reasonably requires to decide the application (for an application that is made under Chapter 3, Part 5, Division 2, Subdivision 1, i.e. sections 72(1), 73(1) and 74(1)).	Section 75(1)
Power to give an information notice where Council has failed to decide an application within 30 days of receipt under Chapter 3, Part 5, Division 2, Subdivision 1, i.e. Sections 72(1), 73(1) and 74(1).	Section 77(4)
Power to give a show cause notice.	Section 79(2)
Power to consider representations about a show cause notice.	Section 80(2)
Power to end the show cause process after considering representations made by the licensee.	Section 81
Power to suspend a licence after considering representations (if any).	Section 82(2)(a)
Power to cancel a licence after considering representations (if any).	Section 82(2)(b)
Power to suspend a licence immediately.	Section 83(1)
Power to give an information notice and show cause notice, as required, before suspending a licence pursuant to section 83(1).	Section 83(2)
Power, as the second local government, to take the same action as the first local government (except the power to cancel, suspend impose conditions or other similar action in relation to the licence).	Section 90(1)
Power, as the second local government, to advise the first local government of the thing done or omitted to be done by a licensee of a mobile food business.	Section 91(2)
Power, as the first local government, to take action, in relation to a thing done or omitted to be done by the licensee in the second local government area.	Section 92(2)
Power to consider and grant, or refuse to grant, an application for a replacement licence.	Section 97

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to consider an application and to accredit, or refuse to accredit, the food safety program.	Section 103(1)
Power to obtain and consider the written advice of an auditor about whether or not the food safety program complies with the criteria in section 104.	Section 103(2)
Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	Section 105(1)
Power to give an information notice to the applicant where the application is refused under section 107.	Section 107(4)
Power to decide that more time is needed to make a decision about the application.	Section 108(1)
Power to agree with the applicant, at any time prior to the final consideration day, about the day upon which the application must be decided.	Section 108(3)
Power, after accrediting an applicant's food safety program, to decide how often the program must have compliance audits.	Section 109(2)
Power to determine changes to the frequency of compliance audits for a food safety program accredited by Council.	Section 110
Power to consider an application and approve, or refuse to approve, the amendment of an accredited food safety program.	Section 112(4)
Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	Section 113(1)
Power, by notice, to direct the holder of a Council accredited food safety program to amend the program.	Section 114
Power to give the holder of a food safety program a show cause notice, and to decide the term of the show cause period.	Section 118
Power to consider representations about a show cause notice.	Section 119
Power, after considering written representations by the holder of the accredited food safety program, to take no further action.	Section 120
Power to cancel the accreditation of a food safety program.	Section 121 (2)
Power to conduct a non-conformance audit of a food safety program.	Section 160(2)
Power to approve an improvement notice where remedying the contravention would be likely to stop the food business from operating.	Section 210(2)
Power, as the 'reviewer', to review an original decision under Chapter 3 or Chapter 4 of the Food Act.	Section 237
Power, as reviewer, to, at any time, extend the time to apply for a review.	Section 238(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as reviewer, to, after reviewing the original decision, make a further decision to: <ul style="list-style-type: none"> (a) confirm the original decision; or (b) amend the original decision; or (c) substitute another decision for the original decision. 	Section 239

2. To exercise powers of the Council pursuant to the *Food Production (Safety) Act 2000*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to approve the appointment of an employee of Council as an authorised officer by Safe Food Production (QLD).	Section 83

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: HEAVY VEHICLE

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257
Heavy Vehicle (Mass, Dimension and Loading) National Regulation
Heavy Vehicle National Law (Qld)
Heavy Vehicle National Law Regulation 2014

Delegated Power:

1. To exercise the powers of Council pursuant to the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a road manager, to consent to the making of an HML declaration.	Section 13(1)(b)
Power, as a relevant road manager for an HML declaration, to consent to the making of the declaration subject to the condition that stated intelligent access conditions are imposed on the use of a stated type of HML heavy vehicle under the higher mass limits in an area or on a route to which the declaration applies.	Section 14 (3)
Power, as a relevant road manager for an HML declaration, to give written reasons for a decision made under subsection 14(3) to the Regulator.	Sections 14(4)
Power, as a relevant road manager for an HML declaration in the circumstances set out in subsection 18(1), to ask the Regulator to do one or more of the things listed in subsection 18(2).	Section 18
Power, as a road manager, to consent to the granting of an HML permit.	Sections 22(1)(b) and 23
Power, as a road manager, to consent to the granting of an HML permit subject to conditions	Section 24(1)(a)
Power, as a road manager, to consent to amendment of an HML.	Section 29(4)
Power, as a road manager for a HML permit, to request the regulator to amend or cancel the permit.	Section 31(2)
Power, as a road manager, to consent to a declaration of the regulator pursuant to section 40.	Section 41(1)

2. To exercise the powers of Council pursuant to the *Heavy Vehicle National Law (Qld)*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a road manager, to consent to the grant of a mass or dimension authority.	Section 156(1)
Power, as a road manager, to ask the regulator for a longer period of time under section 156(1)(b).	Section 156(2)
Power, as a road manager, to give the regulator a written statement that explains the road manager's decision and complies with section 172.	Section 156(6)
Power, as a road manager, to notify the regulator:- (a) that a route assessment is required for the road manager deciding whether to give or not to give the consent; (b) the fee payable (if any) for the route assessment under a law of the jurisdiction in which the road is situated.	Section 159(2)
Power, as a road manager, to consent to the grant a mass or dimension authority subject to conditions.	Sections 160(1), 161(1) and 162(1)
Power, as a road manager for a mass or dimension authority, to give the regulator a written statement that explains the road manager's decision and complies with section 172.	Sections 160(2), 161(2) and 162(2)
Power, as a road manager for a mass or dimension authority, to seek an extension of time to give a notice under section 167(2)(b).	167(2)(b)(ii)
Power, as a road manager for a mass or dimension authority, to give consent to the grant of a mass or dimension authority for a trial period of no more than 3 months.	Section 169(1)
Power, as a road manager for a mass or dimension authority, to object to the renewal of the authority for a further trial period.	Section 170(3)
Power, as a road manager for a mass or dimension authority granted by Commonwealth gazette notice, to request the regulator to amend or cancel the authority if the circumstances of section 174(1) exist.	Section 174(2)
Power, as a road manager for a mass or dimension authority granted by permit, to request the regulator to amend or cancel the authority if the circumstances of section 178(1) exist.	Section 178(2)
Power, as a road manager, to apply to the Court for a compensation order.	Section 611(2)
Power, as a road manager and public authority, to sign a certificate.	Section 612(2)(c)
Power, as a road manager and reviewer, to agree to a longer prescribed period for a review of a reviewable decision.	Section 645(6)
Power, as a road manager, to agree to a longer prescribed period for a review of a reviewable decision.	Section 645(6)

3. *To exercise the powers of Council pursuant to the Heavy Vehicle National Law Regulation 2014.*

Please note: This register covers powers of Council as a road manager only and does not include powers of Council as a driver or operator of a heavy vehicle

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a road manager, to set the fee payable for a route assessment.	Section 4 (2)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: HUMAN RIGHTS

Delegation by the Council to:

Chief Executive Officer

Date: 10 December 2019

Source of Authority:

Local Government Act 2009 - Section 257

Human Rights Act 2019

Delegated Power:

1. To exercise the powers of Council pursuant to the *Human Rights Act 2019*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a party to a proceeding before a court, in the circumstances in subsection 49(1), to make an application to have the proceeding referred to the Supreme Court.	Section 49(2) <i>Human Rights Act 2019</i>
Power, as a party to a proceeding in the Supreme Court or District Court, to give notice in the approved form to the Attorney-General and the commission if: <ul style="list-style-type: none"> (a) a question of law arises that relates to the application of the Act; or (b) a question arises in relation to the interpretation of a statutory provision in the Act. 	Section 52(1)(a) <i>Human Rights Act 2019</i>
Power, as a party to a proceeding, to give notice in the approved form to the Attorney-General and the commission if a question is referred to the Supreme Court under section 49.	Section 52(1)(b) <i>Human Rights Act 2019</i>
Power, where the commissioner decides to accept a human rights complaint, to comply with the actions taken by the commissioner including:- <ul style="list-style-type: none"> (a) making submissions to the commission in writing in response to the complaint; (b) complying with a direction to give the commission information relevant to the complaint; (c) participating in a conciliation of the complaint under part 4, division 2, subdivision 4. 	Section 77(1) <i>Human Rights Act 2019</i>
Power, as a relevant entity for a complaint, to comply with a direction given by the commissioner under subsection 78(2).	Section 78(5) <i>Human Rights Act 2019</i>
Power, as a party to a complaint, to seek the consent of the commissioner to be represented by another person.	Section 83(1) <i>Human Rights Act 2019</i>

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make submissions to the commissioner about a proposed adverse comment in a report prepared under section 88 or part 4, division 3.	Section 93(2) <i>Human Rights Act 2019</i>
Power to comply with a notice, issued by the commissioner pursuant to subsection 98(1), to provide information.	Section 98(3) <i>Human Rights Act 2019</i>

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: INDUSTRIAL RELATIONS	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 - Section 257</i> <i>Industrial Relations Act 2016</i> <i>Industrial Relations Regulation 2018</i>	

Delegated Power:

1. To exercise powers of the Council pursuant to the *Industrial Relations Act 2016*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, to ask or require an employee to work additional hours if the hours are reasonable under section 26.	Section 23(2)
Power, as the employer, to agree with an employee who is not covered by an applicable industrial instrument, to an averaging arrangement.	Section 25(1)
Power, as the employer, to decide an employee's request for flexible working arrangements with or without conditions.	Sections 28(1) and (2)
Power, as the employer, to give written notice of the decision on an employee's request for flexible working arrangements.	Section 28(3)
Power, as the employer, to agree when an employee is to take annual leave.	Section 33(1)
Power, as the employer, and where the employer and employee cannot agree when the employee is to take annual leave, to decide when the employee is to take the leave and give the applicable notice to the employee.	Section 33(3)
Power, as the employer, to agree that an employee may take annual leave before becoming entitled to it.	Section 33(4) /
Power, as the employer, to agree to pay the employee for annual leave otherwise than in advance.	Section 35(1)
Power, as the employer, to agree that an employee may cash out a particular amount of annual leave.	Section 37(2)
Power, as the employer, to pay an employee for annual leave not taken on termination of employment.	Section 38(3)
Power, as the employer, to agree to an employee taking additional unpaid carer's leave.	Section 42(4)
Power, as the employer, to agree to an employee who is a short term casual taking additional unpaid carer's leave.	Section 43(3)
Power, as the employer, to agree to an employee who is a long term casual taking additional unpaid carer's leave.	Section 44(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, to require an employee to give a doctor's certificate or statutory declaration as evidence of the need to take carer's leave for more than 2 consecutive days.	Section 45(1)
Power, as the employer, to require an employee to give a statutory declaration or evidence mentioned in section 45(3)(a) to (d) as evidence of the need to take carer's leave to care for or support a person who has experienced domestic violence.	Section 45(2)
Power, as the employer, to require an employee to give a copy of a funeral notice or other evidence as evidence of a death resulting in the taking of bereavement leave.	Section 49(1)
Power, as the employer, to require an employee to give evidence to satisfy a reasonable person that the employee was taking compassionate leave because the life of a member of the employee's family or household was threatened by personal illness or personal injury.	Section 49(2)
Power, as the employer, to agree to an employee taking additional unpaid bereavement leave or compassionate leave.	Section 50
Power, as the employer, to agree to an employee taking unpaid cultural leave	Section 51(2)
Power, as the employer, to agree to an employee taking additional unpaid domestic and family violence leave.	Section 52(5)
Power, as the employer, and where an employee has claimed domestic and family violence leave, to ask the employee for evidence that the employee has experienced domestic violence and needs to take leave as a result.	Section 54(1)
Power, as the employer, to inform the employee his/her entitlements and obligations under chapter 2, part 3, division 8.	Section 71(2)
Power, as the employer that has decided to implement significant change at a workplace, to advise employees on parental leave about the proposed change before it is implemented and give each employee reasonable opportunity to discuss any significant effect the change will have on the employee's position.	Section 72
Power, as the employer, to agree to an employee entitled to parental leave under subdivision 2, or who is taking parental leave, making more than 1 application under subsection (1) within a 12-month period in relation to a particular instance of parental leave.	Section 73(2)
Power, as the employer, to agree to an employee on parental leave, making more than 1 application under subsection (1) within a 12-month period.	Section 74(2)
Power, as the employer, to decide an application by an employee entitled to or taking parental leave to extend parental leave if the circumstances of section 73 exist, to discuss the application and to give written notice of that decision.	Section 76
Power, as the employer, to decide an application by an employee on parental leave to return to work on a part-time basis pursuant to section 74, to discuss the application and to give written notice of that decision.	Section 76
Power, as the employer, to nominate a time for the employee to resume work.	Section 78(3)
Power, as the employer, to agree to an employee taking paid sick leave or other paid leave whilst the employee is on unpaid parental leave.	Section 79(3)
Power, as the employer, to agree to an employee on parental leave performing work on a keeping in touch day.	Section 80(1)(b)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, to agree that an employee break the period of parental leave by returning to work.	Section 81
Power, as the employer, to agree to an employee on parental leave shortening the period of leave.	Section 83
Power, as the employer, to give notice to the employee of the day on which the employee must return to work and, if the employee returns to work, to cancel the rest of the parental leave.	Section 84
Power, as the employer of a female employee whose present work is, because of her pregnancy or breastfeeding, a risk to the health or safety of the employee or her unborn or newborn child, to temporarily adjust the employee's working conditions or hours of work, or transfer the employee to other appropriate work.	Section 89
Power, as the employer of a replacement employee, to give the replacement employee written notice of the temporary nature of the employment and the parent's right to return to work.	Section 92(1)
Power, as the employer, to agree when an employee is to take long service leave.	Section 97(2)
Power, as the employer, and where the employer and employee cannot agree when the employee is to take long service leave, to decide when the employee is to take the leave and give the applicable notice to the employee.	Section 97(3)
Power, as the employer, where the employee is on long service leave and where the ordinary rate is increased or reduced, to pay the employee at the increased or reduced rate for the leave period to which the increased or reduced rate applies.	Section 98(4)
Power, as the employer, to agree on when, and the way in which, the employee will be paid for long service leave.	Section 101
Power, as the employer of a casual or regular part-time employee, to agree that the employee's entitlement to long service leave may be taken in the form of its full time equivalent.	Section 104
Power, as the employer, to agree in writing with the employee that the employee be paid for all or part of an entitlement to long service leave instead of taking the leave.	Section 110(2)
Power, as the employer, upon an employee's death, to pay the employee's legal personal representative any amount payable for the employee's entitlement to long service leave that has not already been paid.	Section 111(2)
Power, as the employer, to ask an employee to work on a public holiday if the request is reasonable.	Section 116(2)
Power, as the employer, to dismiss an employee if the circumstances of section 121(1) exist.	Section 121(1)
Power, as the employer who obtains other acceptable employment for the employee or cannot pay the amount, to apply to the commission for an order reducing the amount of the redundancy pay to a stated amount the commission considers appropriate.	Section 127(2)
Power, as the employer, to give each employee before, or as soon as practicable after, the employee starts working for the employer, the information and documents required by section 129(1).	Section 129

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, where a magistrate has made an order about an offence against section 137(4) and that order states both alternatives of section 137(8), to decide how to comply with that order in terms of the alternatives.	Section 137(9)
Power, as an employer, to apply to the commission to:- (a) make a modern award; or (b) make an order varying a modern award.	Section 147(2)(b)
Power, as an employer, to apply to the commission to make an order revoking a modern award.	Section 150(3)(b)(iii)
Power, as a person to whom a modern award applies, to apply to the commission to review the award.	Section 156(1)(b)(i)
Power, as an employer, to make a certified agreement with 1 or more employee organisations that represent, or are entitled to represent, Council's employees, or the employees of Council at the time the agreement is made.	Section 165
Power, as an employer, to consent to the making of a bargaining award.	Section 167(a)
Power, as a proposer, to give a notice of intention to:- (a) the other proposed parties to the negotiations; (b) if the negotiations relate to a project agreement—all relevant employee organisations and the commission.	Section 169(2)
Power, as a recipient of a notice of intention where the negotiations:- (a) relate to a project agreement; or (b) involve a multi-employer agreement, to give written notice of Council's intention to be a party to the negotiations to the proposer and the commission.	Section 170(2)
Power, as the employer and where the circumstances of section 171(1) exist, to take reasonable steps to ensure compliance with section 171(2).	Section 171(2)
Power, as the employer and where the circumstances of section 171(1) exist, to give the relevant employee organisation a reasonable opportunity to represent the employee as required by section 171(4).	Section 171(4)
Power, as the employer and where the circumstances of section 172(1) exist, to negotiate with the single bargaining unit.	Section 172(2)
Power, as negotiating party, to negotiate in good faith and do all things listed in subsections (2) and (3).	Section 173
Power, as negotiating party, where the peace obligation period has ended, to ask the commission to help the parties reach an agreement.	Section 175(1)(b)
Power, as one of the negotiating parties, to notify the commission that the parties intend to resume negotiating without the commission's help.	Section 175(2)
Power, as a negotiating party, to comply with an attendance notice and negotiate on Council's behalf at a conciliation conference.	Section 176(2)
Power, as one of the negotiating parties, to apply to the commission for arbitration of the matter.	Section 178(1)
Power, as one of the negotiating parties, to agree matters with the other negotiating parties before or during an arbitration of the matter.	Section 181(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a negotiating party, to agree with the other negotiating parties the nominal expiry date for the arbitration determination.	Section 183(1)
Power, as a negotiating party, to apply to the commission for a scope order.	Section 184(1)
Power, as a party to an agreement, to apply to the commission to certify the agreement.	Section 189(1)
Power, as a party to a proposed bargaining award, to apply to the commission to:- (a) make the bargaining award; and (b) terminate the relevant modern award.	Section 190(2)
Power, as a person who will be covered by a proposed bargaining instrument, to take action that may be necessary to enable the commission to grant the application, including participating in a conciliation on Council's behalf.	Section 194
Power, as a party to a proposed bargaining instrument, to sign it on Council's behalf.	Section 196(1)(b)
Power, as an employer in the circumstances set out in subsection (1), to apply to the commission for a decision under subsection (3).	Section 213(3)
Power, as the employer, on or before the nominal expiry date of a bargaining instrument, to, apply to the commission to extend the nominal expiry date.	Section 223(1)
Power, as an employer, to apply to the commission to amend a bargaining instrument.	Section 225(1)
Power, as an approving party, to approve an amendment to a bargaining instrument.	Section 225(2)(a)(i)
Power, as a person to whom a bargaining instrument applies, to apply to the commission to amend the instrument in one of the ways set out in subsection (5) and to agree to any amendment.	Section 225(5)
Power, as a party to a bargaining award or a proposed new party to the award, to, in the circumstances set out in subsection (1), apply to the commission to amend the bargaining award so the award applies to the proposed new party.	Section 226(2)
Power, as the employer, on or before the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.	Section 227(1)
Power, as the employer, after the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.	Section 228(1)
Power, as the person who intends to terminate the agreement or determination to give all other persons to whom the agreement or determination applies, notice of the intention.	Section 228(2)
Power, as a party to an agreement or determination that does not provide for the way it may be terminated, to agree to the agreement or determination being terminated.	Section 228(3)(b)(i)
Power, as a negotiating party for a proposed bargaining instrument, to take protected industrial action for the proposed instrument subject to the requirements of Chapter 4, Part 8.	Section 232

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer intending to take the industrial action, to give notice of the intention to all of the negotiating parties for the proposed bargaining instrument, either in writing or by taking other reasonable steps to notify employees of the intended action.	Section 236
Power, as the employer taking industrial action that is the lockout of an employee, to refuse to pay the employee for the period of the lockout.	Section 237(3)
Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, or threatened to be engaged in.	Section 240(1)
Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, where the industrial action has threatened, is threatening or would threaten:- (a) to endanger the life, personal safety or health, or welfare of the State's population or part of it; or (b) to cause significant damage to the State's economy or an important part of it.	Section 241(1)
Power, as the employer, to apply to the registrar for a certificate stating that the employer need not negotiate with an employee organisation under chapter 4 because of a circumstance in section 171(5).	Section 242(2)
Power, as a party to a certified agreement or a bargaining award, to sign the affidavit prepared pursuant to subsection (2) on behalf of Council.	Section 250(3)
Power, as a relevant party subject to a direction of the commission, to comply with the direction on behalf of Council, including signing any affidavit required under subsection (3).	Section 251(4)
Power, as a party to an industrial dispute, in the circumstances referred to in subsection (1), to give the registrar written notice of the dispute.	Section 261(1)
Power, as a party directly involved in an industrial cause, to request the registrar act as mediator in the cause.	Section 263(a)
Power, as a person served with an attendance notice, to attend the compulsory conference and agree to measures which attempt to prevent or settle the dispute.	Section 264(1)
Power, as a person the subject of an order, to prepare, file and sign an affidavit under subsection (3)(c).	Section 265(3)
Power, as a person served with a show cause notice, to show cause to the full bench at the stated time why Council should not be dealt with under section 266.	Section 265(7)
Power, as the employer, to pay or refuse to pay, an employee for a period when the employee engages in a strike.	Section 268(1)
Power, as an employer against whom the strike was organised, engaged in or threatened, to make an application to the commission for an order for a contravention of section 268.	Section 269(2)
Power, as a person who has been affected by a contravention of Chapter 8, Part 1, to apply to the commission for the commission to deal with the dispute.	Section 309(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an applicant or an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.	Section 312(2)
Power, as an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.	Section 318(2)
Power, as a party, to seek further conciliation, or settle the matter, at any time before an order is made under section 321 or 322.	Section 318(5)
Power, as the employer that has decided to dismiss 15 or more employees for economic, technological or structural reasons, to dismiss the employees if the circumstances of section 329(1) apply and give the requisite notices.	Section 329(1)
Power, as the employer, to give each employee organisation the opportunity to consult on the ways listed in section 330(1).	Section 330
Power, as the employer, to stand down an employee if the circumstances of section 333 apply.	Section 333
Power, as the employer, to apply to the commission for an authorised officer's authority under section 337 to be revoked or suspended.	Section 338(1)
Power, as the employer, to keep a time and wages record for each industrial instrument employee as required by section 339.	339(1)
Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 339(1)(d) for the employee, worked out to the previous 30 June.	Section 339(5)
Power, as the employer, to keep a time and wages record for each non-industrial instrument employee as required by section 340.	340(1)
Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 340(1)(d) for the employee, worked out to the previous 30 June.	Section 340(5)
Power, as the employer, to keep an employee register as required by section 341.	341(1)
Power, as the employer, when paying an employee wages, to give the employee a written statement as required by section 343(2).	343(1)
Power, as the employer, when asked by the inspector to inspect, or for electronic access to, the time and wages record, to comply with the request.	344(2)
Power, as the employer, when asked by the registrar to inspect, or for electronic access to, the time and wages record, to comply with the request.	346(2)
Power, as the employer, when directed by the registrar, to give the employee register or index to a stated person, at a stated reasonable time and place.	346(4)
Power, as the employer, to agree to an employee inspecting the time and wages record for that employee's particulars, as permitted by section 347(2)(a) and (b), and to give the particulars to the employee in writing.	Section 347
Power, as the employer, to agree to an employee inspecting the time and wages record:- (a) more than once in any 12-month period; or (b) outside the employer's business hours; or (c) during the employee's working time.	Section 347(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, to require an authorised officer to produce the officer's authorisation.	Section 348(2)
Power, as the employer, where an authorised officer fails to produce the officer's authorisation, to treat the office as a trespasser.	Section 348(5)
Power, as the employer, when asked by the authorised officer for an item in section 350(1), to comply with the request and to refuse to comply if the circumstances of section 350(3) or 350(5) exist.	Section 350
Power, as the employer, to keep an accurate written account of the amounts received from the prime contractor, and of the way the amounts have been disbursed or disposed of.	Section 359(4)
Power, as the employer, to produce the account for inspection to an employee in the circumstances set out in subsection (a) to (c) and allow the employee to make a copy of the account.	Sections 359(5) and (6)
Power, as a prime contractor served with an attachment notice, to keep from the amounts payable, or to become payable, by the prime contractor to the employer for the contracted work, an amount sufficient to satisfy:- (a) the claim for wages stated in the notice; and (b) all further claims for wages stated in notices of attachment served on the prime contractor within 7 days after the service of the first notice.	Section 361(2)
Power, as a prime contractor served with an attachment notice, to pay the amount to which the notice relates to a clerk of the Magistrates Court.	Section 361(4)
Power, as a prime contractor, to pay the amount stated in the relevant order to the employee from the amounts attached and kept in the hands of the prime contractor.	Section 362(4)
Power, as a prime contractor, to ask the employee to sign a discharge for the amount paid for a claim for wages to which an order under section 362 relates.	Section 366
Power, as the employer, where an employee's consent authorising a deduction to be made from wages is not written, to, before making the deduction, give the employee written acknowledgement of the consent.	Section 371(5)
Power, as the employer, to pay each employee's wages at least monthly to the employee.	Section 373(1)
Power, as the employer, where the circumstances in subsection (1) apply, to immediately at the end of the 30 days, pay the wages payable to the former employee to the nearest clerk of the Magistrates Court.	Section 375(2)
Power, as the employer, to recover an amount to which the employee is not entitled by deducting amounts from the employee's wages for a subsequent pay period or periods.	Section 376(2)
Power, as the employer, where an employee ceases employment without giving the employer the notice required by an industrial instrument, to deduct from the employee's wages an amount stated by an industrial instrument.	Section 377
Power, as the employer, to contribute, for eligible employees, to the approved superannuation fund at the level required by the relevant industrial instrument.	Section 394(1)
Power, as a person who may be directly affected by the declaration, to apply to the commission for a declaration about an industrial matter.	Section 463(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an employer, to apply to the commission for an interpretation of an industrial instrument, other than a certified agreement or bargaining award.	Sections 467(1) and 468(1)
Power, as a person bound by the agreement, to apply to the commission for an interpretation of a certified agreement or bargaining award.	Sections 467(1) 468(2)
Power, as a party to an industrial cause, to agree in writing to the parties requesting the commission to assist the parties in negotiating or resolving a matter relevant to the industrial cause, whether or not the matter is within the jurisdiction of the commission and to agree that the request being amended.	Sections 469(1) and (2)
Power, as a party to an industrial cause, to agree, in writing, for the decision of the commission to bind the parties.	Section 469(4)
Power, as a party to a dispute, to make a referral agreement with the other parties to the dispute.	Section 470(1)(b)
Power, as a party to a dispute, in the circumstances set out in subsection (1), to apply to the commission for the commission to perform its dispute resolution functions.	Section 470(2)
Power, as a party to a contract, in the circumstances set out in subsection (1), to apply to the commission for the commission to amend or declare void (wholly or partly) the contract.	Section 471(1)
Power, as a person under section 474, to apply to the commission for the commission to grant an injunction:- (a) to compel compliance with an industrial instrument, a permit or this Act; or (b) to restrain or prevent a contravention, or continuance of a contravention, of an industrial instrument, a permit or this Act.	Section 473(1)
Power, as an employer, to apply to the full bench for the orders set out in section 479 about a demarcation dispute.	Section 479
Power, as a person mentioned in section 485, to apply to the full bench or the commission for proceedings to be reopened.	Section 484(1) /
Power, as a party to proceedings, to appoint in writing, an agent to represent Council in the proceedings.	Section 529(1)(a)
Power, as a person aggrieved by a decision of the court or the full bench constituted by the president and 2 or more other members, to appeal to the Court of Appeal.	Section 554(1)
Power, as a person aggrieved by a decision of the full bench constituted by the president and 2 or more other members, to seek the leave of the Court of Appeal to appeal.	Section 554(2)
Power, as a person aggrieved by a decision of a magistrate, to appeal to the court.	Section 556
Power, as a person aggrieved by a decision of the commission, to appeal to the court.	Section 557(1)
Power, as a person aggrieved by a decision of the commission, to seek the leave of the court to appeal.	Section 557(2)
Power, as a person aggrieved by a decision of the registrar, to appeal to the full bench.	Section 560(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a person aggrieved by a decision of the registrar, to seek the leave of the full bench to appeal.	Section 560(2)
Power to apply to the industrial tribunal to allow a longer period in which to start an appeal.	Section 564(2)
Power, as a person mentioned in column 2 of schedule 3, to apply to the relevant industrial tribunal for an order in relation to a contravention, or alleged contravention, of a civil penalty provision.	Section 572
Power, as a person subject to a requirement from an inspector to produce a document, to comply with the requirement.	Section 912(2)
Power, as an employer subject to a written demand by an inspector under subsection (1), to comply with the demand.	Section 915(2)
Power, as an employer, to pay wages payment to an employee under the Act, a relevant industrial instrument or a permit, in accordance with the employee's written direction.	Section 928(1)(b)
Power, as the employer in a workplace where an industrial instrument applies, to display a copy of the industrial instrument as required by section 934(2).	Section 934(2)
Power, as the employer, where a person whose employment with the employer has been terminated has asked for a certificate described in section 935(1), to give the certificate.	Section 935(2)

2. To exercise powers of the Council pursuant to the *Industrial Relations Regulation 2018*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, when working out continuous service under section 123(1) of the <i>Industrial Relations Act 2016</i> , to notify the employee that another absence from work breaks the employee's continuous service	Section 4(1)(c)
Power, as the employer, when working out continuous service under section 123(1) of the <i>Industrial Relations Act 2016</i> , to withdraw a notice to the employee given under section 4(1)(c)	Section 4(5)(b)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and

- b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: INFORMATION PRIVACY

Part 1- Delegation by the Council to:

Date: 17 September 2020

Chief Executive Officer

Source of Authority:

Local Government Act 2009 – Section 257

Information Privacy Act 2009

Delegated Power:

1. -To exercise the powers of Council pursuant to the *Information Privacy Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as agency, to transfer an individual's personal information to an entity outside Australia under certain circumstances.	Section 33
Power, as agency, to enter into a service arrangement with an entity other than an agency to provide services.	Section 34
Power, as agency, to give access to a document created after the application for access is received.	Section 47
Power, as agency, to search for a document on a backup system if it considers the search is appropriate.	Section 49
Power, as agency, to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access or amendment application.	Section 50(5)(b)
Power, as agency, to contact the person and tell them how the application does not comply with a relevant application requirement.	Section 53(2)
Power, as agency, to refuse to deal with an access or amendment application if: <ol style="list-style-type: none"> the application does not comply with all relevant application requirements; and the applicant has been afforded a reasonable opportunity to consult with a view to making the application comply. 	Section 53(3)
Power, as agency, to give prescribed written notice of the decision.	Section 53(6)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
<p>Power, as agency, to refuse to deal with an access application if:</p> <ul style="list-style-type: none"> (a) the application should have been made under the <i>Right to Information Act</i> (because it is for access to a document other than to the extent it contains the applicant's personal information); and (b) reasonable efforts have been made to inform the applicant that the application: <ul style="list-style-type: none"> (i) can not be made under the <i>Information Privacy Act</i>; and (ii) should be made under the <i>Right to Information Act</i>; and (iii) may be changed so it can be made under the <i>Information Privacy Act</i>, or may be dealt with under the <i>Right to Information Act</i> by paying the application fee. 	Section 54
<p>Power, as agency, at any time before a deemed decision is taken to have been made in relation to an access or amendment application, to ask applicant for a further specified period to consider the application.</p> <p>Note: more than one request can be made (section 55(2) <i>Information Privacy Act</i>)</p>	Section 55(1)
<p>Power, as agency, to continue to consider an access or amendment application, if a further specified period has been requested under section 55(1), the applicant has not refused the request, and no notice that the applicant has applied for review has been received.</p>	Section 55(3)
<p>Power, as agency, to give access to a document that contains information the disclosure of which may reasonably be expected to be of concern to a government, agency, or person (a "relevant third party"), <u>only if</u> reasonably practicable steps are taken to obtain the relevant third party's views on whether:</p> <ul style="list-style-type: none"> (a) the document is a document for Chapter 3 of the <i>Information Privacy Act</i> (document of an agency or a Minister under the <i>Right to Information Act</i>); or (b) the information is exempt information or contrary to public interest information. 	Section 56(1)
<p>Power, as agency, to transfer an access or amendment application to another agency if the document is not in the original agency's possession, but is, to the original agency's knowledge, in the other agency's possession, and the other agency consents.</p>	Section 57(2)
<p>Power, as agency, to refuse to deal with the application without having identified any or all of the documents, if the documents contain information of a stated kind or relate to a stated subject matter and it appears that all of the documents are comprised of exempt information (as defined in Schedule 3 of the <i>Right to Information Act</i>).</p>	Section 59
<p>Power, as agency, to refuse to deal with an access or amendment application, or, if considering two or more access or amendment applications by the applicant, all the applications, if the work involved in dealing with the application, or all the applications, would substantially and unreasonably divert the resources of Council from use in performance of Council functions.</p>	Section 60(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as agency, to give the applicant: (a) written notice of the refusal to deal with an access or amendment application under section 60(1) <i>Information Privacy Act</i> ; and (b) a reasonable opportunity to consult.	Section 61(1)
Power, as agency, to refuse to deal with a later access application for one or more of the same documents sought under the first access application by the same applicant, to the extent it is for access to documents in the first application, if the later application does not disclose any reasonable basis for seeking such access.	Section 62(3)
Power, as agency, to refuse to deal with a later amendment application for one or more of the same documents sought to be amended under the first access application by the same applicant, to the extent it is for amendment to documents in the first application, if the later application does not disclose any reasonable basis for seeking such access.	Section 63(3)
Power, as agency, after considering an access application, to decide whether to give access to the document and whether any access charge must be paid by the applicant.	Section 65
Power, as agency, to refuse access to a document in the same way and to the extent access can be refused under section 47 <i>Right to Information Act</i> , were access to the document applied for under that Act.	Section 67(1)
Power, as agency, to give a prescribed written notice to an applicant, for an access application, of: (a) the decision on the application, including a decision to refuse to deal with the application; and (b) the fact that the document is not a document in the possession, or under the control, of Council, if this is the case.	Section 68(1)
Power, as agency, to not include any exempt information or contrary to public interest information in the notice given under section 68(1) <i>Information Privacy Act</i> .	Section 68(3)
Power, as agency, to give prescribed written notice to an applicant that does not include details required to be in a prescribed written notice under section 199(a) and (b) <i>Information Privacy Act</i> , but states that Council neither confirms nor denies the existence of the document, but assuming the document does exist, it would be a document to which access would be refused under section 67 <i>Information Privacy Act</i> to the extent it comprised prescribed information.	Section 69(2)
Power, as agency, after considering an amendment application, to decide whether amendment of the document is permitted.	Section 70
Power, as agency, to give an applicant for an amendment application a prescribed written notice of the decision on the application.	Section 73(1)
Power, as agency, to not include reasons for a decision to permit amendment of the document in the notice given under section 73(1) <i>Information Privacy Act</i> .	Section 73(2)
Power, as agency, to not include any exempt information or contrary to public interest information in the notice given under section 73(1) <i>Information Privacy Act</i> .	Section 73(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as agency, if a decision to amend the document is made, to make the amendment by altering the personal information or adding an appropriate notation to the personal information.	Section 74
Power, as agency, to waive an access charge.	Sections 80, 81 and 82
Power, as agency, to refuse to give access to a document in a form requested, if it would: <ul style="list-style-type: none"> (a) interfere unreasonably with Council's operations, or (b) be detrimental to the preservation of the document, or (c) be inappropriate having regard to the physical nature of the document; or (d) involve an infringement of the copyright of a person other than the State, and give access in another form. 	Section 83(4)
Power, as agency, to extend the period in which an applicant may access a document.	Section 84(2)
Power, as agency, to defer giving access to a document for a reasonable period if the document was prepared: <ul style="list-style-type: none"> (a) for presentation to the Assembly or a committee of the Assembly; or (b) for release to the media; or (c) solely for inclusion in a document prepared for a purpose in (a) or (b). 	Section 87
Power, as agency, to delete irrelevant information from a copy of a requested document when giving access to that requested document, if the agency considers it is reasonably practicable to give access to the copy.	Section 88
Power, as agency, to give access to a copy of a document from which the exempt information has been deleted.	Section 89
Power, as agency, to give access to a copy of a document from which the contrary to public interest information has been deleted.	Section 90
Power, as agency, to direct access to the document be given instead to an appropriately qualified healthcare professional nominated by the applicant and approved by the agency, where access was refused under section 47(3)(d) of the <i>Right to Information Act</i> , as applied under the <i>Information Privacy Act</i> .	Section 92(2)
Power, as agency, to conduct a particular further search or to conduct further searches directed by the information commissioner.	Section 115
Power, as agency, to apply to the information commissioner for declaration that a person is a vexatious applicant.	Section 127
Power, as agency, to apply to the information commissioner for approval to waive or modify the obligation to comply with the privacy principles.	Section 157
Power, as agency, to ask the information commissioner to extend the time within which to take action stated in a compliance notice.	Section 159
Power, as agency, to apply to QCAT, as provided under the QCAT Act, for review of the information commissioner's decision to give a compliance notice.	Section 161(1)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: LAND	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 - Section 257</i> <i>Land Act 1994</i>	

Delegated Power:

1. To exercise the powers of Council pursuant to the *Land Act 1994*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a person who may take water under the Water Act 2000, section 96, to exercise a right of access, a right of grazing and a right to bring action for trespass over the adjacent land.	Section 13A(4)
Power, as a person an adjacent owner for the land, to consent to the dedication of non-tidal watercourse land or non-tidal lake land as a reserve.	Section 13AC(1)(a)
Power, as owner of land having a non-tidal boundary (the relevant land), to apply to the chief executive (water) to have land adjoining the relevant land (the watercourse land) declared to be former watercourse land.	Section 13B(1)
Power to give notice of the person's intention to make an application pursuant to section 13B to the owners of any land that adjoins the watercourse land	Section 13B(2)
Power, as an applicant under section 13B (1), to appeal against the refusal of the application.	Section 13B(6)
Power, as registered owner of land, to enter an agreement with the Governor in Council to exchange all or part of the freehold land for the grant of unallocated State land.	Section 18(1)
Power, as lessee of a freeholding lease, to enter an agreement with the Governor in Council to exchange all or part of the freeholding lease for a freeholding lease over unallocated state land.	Section 18(2)
Power, as lessee of a term lease (other than a State lease or a perpetual lease), to enter an agreement with the Minister to exchange all or part of the term lease for a lease of unallocated State land for a term of years or in perpetuity.	Section 18(3)
Power, as a person seeking to have a plan of subdivision registered in relation to the land contained in a deed of grant, deed of grant in trust or lease, to apply to the chief executive for the allocation of a floating reservation to some or all of the lots created by the plan.	Section 23A(1)
Power, as an applicant under section 23A (1), to appeal against the chief executive's decision.	Section 23A(6)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as registered owner of the deed of grant or lessee of a free holding lease of a reservation for a public purpose to be sold under section 24(1), to apply to the Governor in Council to buy the land.	Section 24(3)
Power to appeal against the Minister's determination of the unimproved value of land to be sold under section 24(1) of the Land Act 1994.	Section 25(2)
Power, as trustee, lessee or registered owner, to agree to the Minister's proposal to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Section 26(2)
Power, as lessee, registered owner or trustee, to appeal the Minister's decision to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Section 26(4)
Power, as lessee or registered owner, to buy a forest entitlement area under sections 24 and 25.	Section 26B(2)
Power, as lessee or registered owner, to appeal against the value decided by the Minister for commercial timber on a forest entitlement area that the local government is buying.	Section 26B(8)
Power, to apply to the Minister for the dedication of a reserve.	Section 31C(1)
Power to give notice of the intention to apply for the dedication of a reserve.	Sections 31C(2) and 31C(3)
Power, as trustee, to apply to the Minister to change the boundary of a reserve or the purpose of a reserve.	Section 31D(1)
Power to give notice of the intention to change the boundary of a reserve or the purpose of a reserve.	Sections 31D(2) and 31D(3)
Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.	Section 32
Power to apply to the Minister to revoke the dedication of all or part of a reserve.	Section 34(1)
Power to give notice of the intention to apply to the Minister to revoke the dedication of all or part of a reserve.	Sections 34(2) and 34(3)
Power, as owner of improvements on a reserve the dedication to which has been revoked, to apply, in writing to the chief executive, to remove improvements on the reserve.	Section 34H(1)
Power, as owner of improvements on a reserve the dedication to which has been revoked, to remove improvements with the written approval of the chief executive.	Section 34H(2)
Power, as trustee of an operational reserve, to apply for a deed of grant over the reserve.	Section 34I(1)
Power, as trustee of an operational reserve, to give notice of the intention to apply for a deed of grant over the reserve.	Sections 34I(3) and 34I(4)
Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.	Section 38A(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as trustee, to apply for the cancellation of a deed of grant in trust under section 38.	Section 38A(2)
Power, as trustee, to give notice of the intention to apply under section 38A.	Sections 38A(3) and 38A(4)
Power, as owner of improvements on a deed of grant in trust that has been cancelled, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.	Section 38G(1)
Power, as owner of improvements on a deed of grant in trust that has been cancelled, to remove the improvements with the chief executive's approval.	Section 38G(2)
Power to accept appointment as trustee.	Section 44
Power, as trustee, to advise the chief executive of change in details.	Section 45
Power, as trustee, to comply with the administrative, accounting function and other directions provided by Minister.	Sections 46, 47,
Power, as trustee, to:- (a) comply with a request of the chief executive to apply for the approval of a management plan for the trust land; and (b) comply with a request of the chief executive to make all records available for inspection by the chief executive and allow copies and notes of the records to be made; register any management plan in the appropriate register	Section 48
Power, as trustee, to:- (a) allow the auditor-general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the chief executive of a department, to audit the trust's financial accounts; and (b) help the conduct of the audit, including the disclosure of financial institution accounts necessary for the audit.	Section 49
Power to take all necessary action for the maintenance and management of trust land.	Sections 52(1)
Power, as trustee, to surrender all or part of a deed of grant in trust on terms agreed with the Minister and with the Minister's written approval.	Section 55(1)
Power, as trustee, to apply to surrender all or part of a deed of grant in trust.	Section 55A(1)
Power, as trustee, to give notice of the intention to apply to surrender all or part of a deed of grant in trust.	Sections 55A(2) and 55A(3)
Power, as owner of improvements on a deed of grant in trust that has been surrendered, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.	Section 55H(1)
Power, as owner of improvements on a deed of grant in trust that has been surrendered, to remove the improvements on the deed of grant in trust with the written approval of the chief executive.	Section 55H(2)
Power, as trustee, to lease all or part of the trust land if the trustee first obtains the Minister's written "in principle" approval to the lease.	Section 57(1)
Power as trustee to, without the Minister's approval, grant a trustee lease (construction) or a trustee lease (State or statutory body) over all or part of the trust land.	Section 57(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to seek the Minister's approval to amend a trustee lease.	Section 57A(1)
Power, as trustee lessee, to transfer, mortgage or sublease a trustee lease subject to the written approval of:- (a) the Minister for a sublease; or (b) otherwise, the chief executive.	Section 58(1)
Power to appeal against the Minister's or chief executive's decision to refuse to allow a transfer, mortgage or sublease of a trustee lease.	Section 58(7)
Power, as trustee, to issue a trustee permit to use all or part of the trust land.	Section 60(1)
Power to lodge a trustee permit in the appropriate register.	Section 60(3)
Power to seek consent to group trust land reserved for similar purposes together.	Section 62
Power to seek the Minister's approval for rent from a trustee lease or trustee permit to be applied to costs other than on maintenance and enhancement of the trust land.	Section 63(3)
Power, as a relevant person, to apply for approval to lease, sublease or sub-sublease trust land even if an authority is in force.	Section 64(4)
Power, as trustee, to cancel a trustee lease or trustee permit if the lessee or permittee does not comply with the conditions of the lease or permit.	Section 65(1)
Power to allow the trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.	Section 66(1)
Power, as trustee of a deed of grant in trust, to mortgage a deed of grant in trust issued prior the commencement of the, subject to the Minister's approval under section 67(4).	Section 67(2)
Power to mortgage a deed of grant in trust issued after the commencement of the subject to section 67(3)(a) and (b) and the Minister's approval under section 67(4).	Section 67(3)
Power, as trustee of trust land for cemetery purposes, to repair or remove structures, monuments or tombstones from a cemetery on trust land.	Section 80(1)
Power to ask the Minister that a cemetery on trust land be closed to further burials.	Section 81(1)
Power to ask the Minister to re-open a cemetery previously closed for further burials.	Section 81(4)
Power to agree to take on the trusteeship of a cemetery from trustees of the cemetery, and to agree on the terms of the transfer.	Section 82
Power to seek approval from the Minister to exhume a body from a cemetery, in the absence of any local law covering the matter.	Section 83(1)
Power to apply to the Minister seeking approval to surrender land granted for an estate in fee simple for some community, public or similar purpose, the land to the State, and for the issue of a deed of grant in trust under this Act for a community or public purpose.	Section 84(1)
Power to apply for land to be dedicated as a road for public use.	Section 94(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to apply to the Minister to permanently close a road.	Section 99(1)
Power to apply to the Minister to temporarily close a road.	Section 99(3)
Power, as an adjoining owner of land who makes an application to permanently close a road pursuant to section 99(1) of the , to ask that the land be amalgamated with the adjoining owner's adjoining land upon its closure.	Section 99(4)
Power to object to a road closure application in response to a public notice.	Section 100
Power, as a road licensee, to surrender all or part of a road licence.	Section 105(3)
Power, as registered owner of land, to apply for the simultaneous opening and closing of roads subject to the conditions in section 109A(1)(a), (b) and (c).	Section 109A(1)
Power, as registered owner, to ask the Minister to include certain matters in the deed of grant in trust issued under section 358.	Section 109A(2)
Power, as registered owner, to appeal against any conditions the Minister imposes under section 420I.	Section 109A(3)
Power, as trustee of lessee, to apply for the simultaneous opening or closing of roads subject to section 109B (1)(a), (b) and (c).	Section 109B(1)
Power to ask the Minister to include certain matters in the deed of grant in trust issued under section 358 or dedicated as a reserve under section 31A (whichever is applicable).	Section 109B(2)
Power, as lessee, to ask that the land in the road being closed be amalgamated in accordance with section 109B (3)(a) or (b) (whichever is applicable).	Section 109B(3)
Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420I.	Section 109B(4)
Power to apply for an interest in land that may be granted without competition.	Section 120A(1)
Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.	Section 154
Power, as lessee, to apply for extension of a term lease (40 years).	Section 155A(2)
Power, as lessee, to apply for extension of a term lease (50 years).	Section 155B(2)
Power, as lessee, to apply for extension of a term lease (75 years).	Section 155BA(2)
Power, as lessee, to apply for an offer of a new lease (a renewal application).	Section 158
Power, as an applicant for a renewal application, to appeal against the chief executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Section 160(3)
Power, as a lessee under a rolling term lease, to apply to the Minister for an extension of the term	Section 164C(1)
Power, as a lessee under a rolling term lease, to appeal to the Minister's refusal of an extension of the term.	Section 164C(7)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as lessee, to apply to convert a perpetual lease to freehold land and a term lease to a perpetual lease or to freehold land.	Section 166(1)
Power, as applicant for a conversion application, to appeal against the chief executive's decision to refuse the conversion application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Section 168(5)
Power to appeal against the chief executive's decision on the purchase price for the conversion of a lease to a deed of grant.	Section 170(2)
Power, as lessee, to apply for approval to subdivide the lease.	Section 176(1)
Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.	Section 176E
Power, as lessee of 2 or more leases, to apply to the Minister for approval to amalgamate the leases.	Section 176K(1)
Power, as a local government, to prepare a statement of Council's views on the amalgamation of 2 or more leases.	Section 176K(3)(b)
Power to give the chief executive an opinion in respect of a proposed road closure.	Section 176N
Power, as a local government, to prepare a statement of Council's views on the amalgamation of 2 or more leases.	Section 176K(3)(b)
Power to consult with the chief executive regarding the issue of a permit to occupy unallocated State land, a road or a reserve.	Section 177
Power to apply for a permit to occupy unallocated State land, a reserve or a road.	Section 177A(1)
Power to give notice of an intention to apply for a permit to occupy unallocated State land, a reserve or a road.	Section 177A(2)
Power, as an applicant for a permit, to enter an agreement with an adjoining owner about the maintenance of a fence.	Section 179
Power, as a permittee, to surrender a permit to occupy on terms agreed to between the chief executive and the permittee and with the chief executive's written approval.	Section 180(2)
Power, as a relevant entity, to apply to surrender or cancel a permit to occupy.	Section 180A
Power, as a permittee for a permit that is cancelled or surrendered, to apply to remove the permittee's improvements on the permit land.	Section 180H(1)
Power, as a permittee, to remove improvements with the chief executive's written approval.	Section 180H(2)
Power, as lessee, licensee or permittee, to give the Minister or chief executive the information asked for about the lease, licence or permit.	Section 201
Power, as lessee, licensee or permittee, to apply to change an imposed condition of the lease, licence or permit.	Section 210
Power to appeal against the Minister's decision to change an imposed condition about the protection and sustainability of the lease land.	Section 212(3)
Power to make submissions to the Minister in response to a warning notice.	Section 214A

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a lessee or licensee to whom a remedial action notice has been given, to appeal against the decision to give the notice.	Section 214B
Power, as a lessee or licensee to whom a remedial action notice has been given, to comply with the notice.	Section 214D
Power, as lessee, to appeal against the Minister's decision to reduce the term of, or impose additional conditions on, a lease.	Section 214F(3)
Power, as a person who has a lawful interest in the matters listed at section 219(3)(a), (b) and (c), to claim compensation as prescribed by the <i>Acquisition of Land Act 1967</i> .	Section 219(3)
Power, as a compensation claimant, to appeal the Minister's decision about the amount of loss, costs and expenses the claimant is entitled to claim.	Section 222(6)
Power, as owner of lawful improvements on a lease or part of lease resumed under the division, to claim compensation.	Section 225(2)
Power, as lessee, to appeal against the Minister's decision on compensation payable.	Section 226(5)
Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.	Section 230(2)
Power, as owner, to appeal against the Minister's decision on compensation payable.	Section 232(5)
Power, as a relevant local government of a term or a perpetual lease, to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease.	Section 239(4)
Power, after receiving a notice under section 235(1) or 238(3), as a lessee of a lease, to apply in writing to the chief executive for permission to sell the lease.	Section 240E(1)
Power, as a local government, to apply to the chief executive to sell a lease.	Section 240G
Power, as lessee of a forfeited lease, to apply, in writing to the chief executive, to remove the lessee's improvements on the lease.	Section 243(1A)
Power, as lessee of a forfeited lease, to remove the improvements with the written approval of the chief executive.	Section 243(1)
Power, as a transferor or a person creating the interest, or the transferee or the person in whose favour the interest is to be created, to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease.	Section 288(1)
Power, as a transferor or a person creating the interest, or the transferee or the person in whose favour the interest is to be created, to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease.	Section 288(1)(b)
Power to lodge a standard terms document and amend the standard terms document by lodging a further document.	Sections 318 & 319
Power, as a lessee, licensee or the holder of a sublease, to apply to transfer a lease, sublease or licence under the Act with the approval of the chief executive.	Section 322(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a lessee, licensee or the holder of a sublease, to apply to the chief executive to extend the time mentioned in subsection 322(4).	Section 322(5)
Power, as a lessee, licensee or the holder of a sublease, to appeal a decision of the chief executive not to grant the transfer of a lease, sublease or licence.	Section 322(8)
Power to surrender freehold land on terms agreed between the chief executive and the registered owner and with the chief executive's written approval.	Section 327
Power to surrender a lease or part of a lease on terms agreed between the chief executive and the lessee and with the chief executive's written approval.	Section 327A
Power, as a registered owner, to apply in writing to the chief executive to surrender freehold land.	Section 327B
Power, as a lessee, to apply in writing to the chief executive to surrender all or part of a lease.	Section 327C(1)
Power, as a lessee, to give notice of an intention to apply to any other person with a registered interest in the lease.	Sections 327C(2) and 327C(3)
Power, as owner of improvements on a lease that has been surrendered, to apply in writing to the chief executive to remove the owner's improvements on the lease.	Section 327I(1)
Power, as owner of improvements on a lease that has been surrendered, to remove the owner's improvements with the chief executive's written approval.	Section 327I(2)
Power, as lessee, to give notice of the intention to surrender a lease.	Section 329(1)
Power to seek the Minister's approval to sublease a lease issued under the Act.	Sections 332(1) and 332(2)
Power to appeal against the Minister's refusal to approve the sublease of a lease issued under the Act.	Section 332(7)
Power to seek the Minister's approval to amend a sublease.	Section 336
Power, as party to a sublease, to give another party to the sublease a dispute notice and ask the responder to give information reasonably required for resolving the dispute.	Section 339F
Power, as a party to a sublease who has received a dispute notice, to respond to the dispute notice and ask for further information reasonably required for resolving the dispute.	Section 339G.
Power, as a party to a sublease and where the circumstances of section 339H(1) apply, to attempt to resolve the dispute by mediation.	Section 339H(2).
Power, as a party to a sublease and a party to a dispute, to jointly appoint a mediator to mediate the dispute.	Section 339I(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339I(2) apply, to request the prescribed dispute resolution entity to appoint a mediator to mediate the dispute.	Section 339I(2).
Power, as a party to a sublease and a party to a dispute, to agree to a time for the mediation.	Section 339J(1)
Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to set a time for the mediation of the dispute.	Section 339J(2).
Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to participate in the mediation, agree to adjourn the mediation, and agree to a later time for the mediation.	Section 339K.
Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to pay Council's share of the mediator's costs of the mediation or otherwise agree with the other parties to the dispute how the costs of the mediator will be paid.	Section 339L.
Power, as a party to a sublease and a party to a dispute, to jointly appoint an arbitrator to decide the dispute.	Section 339O(1)
Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339O(2) apply, to request the prescribed dispute resolution entity to appoint an arbitrator to decide the dispute.	Section 339O(2).
Power, as a party to a sublease and a party to a dispute, to agree to extend the period for the arbitrator to decide the dispute by issuing an award.	Section 339Q(3)(c).
Power, as a party to a sublease and a party to a dispute, and where the arbitrator has required, to give an appointed expert access to or copies of any relevant information, documents or other property.	Section 339R(1)(b)
Power, as a party to a sublease and a party to a dispute, to request that an appointed expert participate in a hearing.	Section 339R(2).
Power, as a party to a sublease and a party to a dispute that has been decided by arbitration, to apply to the Supreme Court to set aside the decision in certain circumstances.	Section 339T.
Power, as a party to a sublease and a party to a dispute that is the subject of arbitration, to pay Council's share of the arbitration costs or otherwise agree with the other parties to the dispute how the arbitration costs will be paid.	Section 339U.
Power, as the registered owner or trustee, to surrender land if the description of the land is no longer correct, because of the reasons listed in section 358(1)(a) to (f).	Section 358(1)
Power, as registered owner or trustee, to surrender the land contained in the registered owner's deed of grant or trustee's deed of grant in trust if, on resurvey of the land, the boundaries of the land do not agree with the boundaries described in the existing deed or appropriate plan, and no doubt exists about the boundaries of the land, with the written approval of the chief executive.	Section 358(2)
Power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).	Section 360C(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to apply to amend the description in a term lease or a perpetual lease, other than a State lease, if the description of the lease may be amended under section 360A(2)(a), (b) or (c).	Section 360C(2)
Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B (1)(a), (b), (c) or (d).	Section 360C(3)
Power, as a lessee or a person acting for a lessee, to give notice of an intention to make an application under section 360C to amend the description of a lease.	Section 360D
Power to sign the plan of survey for an easement where Council is the public utility provider or the owner of the land to be burdened.	Section 363(1)(b)
Power to sign a document surrendering an easement in favour of Council, where Council is one or more of the entities listed in subsections 371(2)(a) to (c).	Section 371(2)
Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the deed of grant in trust, lease or licence ends or the dedication of the reserve is revoked.	Section 372(2)
Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the freehold land is surrendered.	Section 372(5)
Power, as the trustee, lessee or sublessee of nonfreehold land the subject of a trust, lease or sublease, to consent to the creation of a covenant on the land.	Section 373A
Power, as trustee of trust land, or as a lessee, licensee or permittee to start a proceeding in the Magistrates Court for unlawful occupation or trespass of the trust land, or a lease, licence or permit.	Section 415
Power to make a submission in response to a notice received under the Act about a proposed application.	Section 420CB
Power to respond to a request from the Chief Executive for information listed in sections 420E(1)(a) and 420E(1)(b).	Section 420E
Power to apply to the Minister for a review of a decision.	Section 423
Power to appeal to the Court against a decision.	Section 427
Power to consult with the Minister about whether Council wishes to be the manager of a declared beach area.	Section 431U(2)
Power to consult with the public and the owner of the lot about the use conditions to be contained in a local law applying to a declared beach area.	Section 431U(3)
Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZG(1) apply, to give the chief executive written notice of the damage.	Section 431ZG
Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply, to enter a remediation agreement with the chief executive.	Section 431ZH(2)
Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply and a remediation agreement has not been made, to apply to the court to decide what remediation action, if any, will be taken.	Section 431ZH(5)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as licensee, to surrender all or part of an occupation licence, on terms agreed to between the Minister and the licensee and with the Minister's written approval.	Section 481A
Power, as a public utility provider or a licensee to apply to cancel or surrender all or part of an occupation licence.	Section 481B(1) and 481B(2)
Power, to give notice of an intention to, as a public utility provider or a licensee, apply to cancel or surrender all or part of an occupation licence.	Section 481B(4) and 481B(5)
Power, as a licensee of an occupation licence that is cancelled or surrendered absolutely, to apply to remove the licensee's improvements on the licence.	Section 481J(1)
Power, as a licensee, to remove the licensee's improvements on the licence with the written approval of the Minister.	Section 481J(2)
Power, as licensee of an occupation licence, to carry out improvements or development work on the licence only with the Minister's written approval.	Section 482
Power, as a local government, to apply to exchange the conditional deed for a reserve or deed of grant in trust with the local government as trustee or a lease granted under the <i>Land Act 1994</i> .	Section 492(1)
Power to agree to an allocation or dedication of land from the State, where the land has become an asset of the State by virtue of section 231 (repealed) of the <i>Transport Infrastructure Act 1994</i> .	Section 505(2)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for a Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: LAND TITLE

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 - Section 257
Land Title Act 1994

Delegated Power:

1. To exercise the powers of Council pursuant to the *Land Title Act 1994*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a person served with a written notice by the registrar, to give public notice of a request listed in subsection (1) and to satisfy the registrar that the public notification has been given.	Section 18
Power to undertake the searches and obtain copies of the documents described in section 35(1)	Section 35(1)
Power, as the registered owner, to agree to a plan of subdivision and dedicating the public use land	Section 50(1)(b)
Power, as the relevant planning body, to approve a plan of subdivision	Section 50(1)(h)
Power, as the registered proprietor whose interests are affected by the plan, to consent to a plan of subdivision	Section 50(1)(j)
Power, as the registered owner of a lot, to dedicate the lot as a road for public use	Section 54(1)
Power, as the relevant planning body, to approve a dedication notice to dedicate a lot as a road for public use	Section 54(3)
Power, as the registered owner, to sign a building management statement for registration	Section 54B(1)
Power, as the registered owner, to sign an instrument of amendment for a building management statement	Section 54E(2)
Power, as the registered owner of all lots to which a building management statement applies, to ask the registrar to extinguish the building management statement.	Section 54G
Power, as the registered owner, to sign an instrument of extinguishment or partial extinguishment for a building management statement.	Section 54H(3)
Power, as the registered owner of a lot with two or more registered owners, to request the registrar create a separate indefeasible title for the interest of each owner.	Section 57

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a registered owner subject to a joint tenancy, to unilaterally sever the joint tenancy.	Section 59(1)
Power, as a registered owner subject to a joint tenancy, to give notice of the severing of the joint tenancy in the way prescribed by subsection (2).	Section 59(2)
Power to register an instrument of transfer for the transfer of a lot or interest to or from Council.	Section 60(1)
Power to register an instrument of lease for the lease of a lot, or part of a lot, to or from Council.	Section 64
Power to register an instrument of amendment of a lease to or from Council.	Section 67(1)
Power, as the relevant local government, to approve the instrument of lease where it is for reconfiguring a lot within the meaning of the <i>Planning Act 2016</i> .	Section 65(3A)
Power, as a lessor under a registered lease who has lawfully re-entered and taken possession under the lease, to lodge a request for the registrar to register the re-entry.	Section 68(1)
Power, as a lessor or lessee under a registered lease, to execute and register an instrument of surrender of the lease.	Section 69(1)
Power, as a sublessee, to consent to the surrender of the lease.	Section 69(2)
Power to register an instrument of easement benefiting or burdening land owned by Council.	Section 82(1)
Power, as the registered owner, lessee, person entitled to the land or public utility provider, to sign an instrument of easement for particular easements.	Section 83(1)(b)
Power, as the relevant local government, to approve the plan of survey for the creation of an easement giving access to a lot from a constructed road where it is the reconfiguring of a lot under the <i>Planning Act 2016</i> .	Section 83(2)
Power, as the registered owner of a lot burdened by an easement in favour of a public utility provider that is not a public thoroughfare easement, to recover from the public utility provider a reasonable contribution towards the cost of keeping the part of the lot affected by the easement in a condition appropriate for enjoyment of the easement.	Section 85B(2)
Power, as the registered owner of the lot benefited and the lot burdened by an easement, to ask the registrar to extinguish the easement.	Section 87
Power to register an instrument of surrender of an easement benefiting or burdening land owned by Council.	Section 90(1)
Power to sign an instrument of surrender of an easement.	Section 90(2)
Power, as a lessee or sublessee of a lot benefited by an easement, to consent to surrender of the easement.	Section 90(3)
Power to register an instrument of amendment of an easement benefiting or burdening land owned by Council.	Section 91(1)
Power, as a local government and covenantee, to register an instrument of covenant.	Section 97A

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a local government and covenantee, to register an instrument of amendment of a covenant.	Section 97C
Power, as a local government and covenantee, to sign and register an instrument of surrender of a covenant.	Section 97D
Power to register an instrument of profit a prendre benefiting or burdening land owned by Council.	Section 97E
Power, as the registered owner of the lot benefited and the lot burdened by a profit a prendre, to ask the registrar to extinguish the profit a prendre.	Section 97I
Power to register an instrument of amendment of a profit a prendre benefiting or burdening land owned by Council.	Section 97K
Power to register an instrument of release of a profit a prendre benefiting or burdening land owned by Council	Section 97L
Power to register instrument of carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97O
Power, as a holder of a registered interest in land affected by a proposed grant of a carbon abatement interest, to consent to the proposed grant.	Section 97P(c)
Power to register instrument of amendment of a carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97S(1)
Power to register instrument of surrender of a carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97U(1)
Power to apply to be registered as owner of a lot as an adverse possessor.	Section 99(1)
Power to withdraw an application to be registered as owner of a lot as an adverse possessor and request that all documents lodged in support of the claim be returned.	Section 100
Power, as a person claiming an interest in a lot the subject of an adverse possession claim, to lodge a caveat.	Section 104
Power, as a caveator given a written notice under subsection (1), to:- (a) start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started.	Section 106(2)
Power, as a caveator that does not agree to the registration of the applicant for a lesser interest in the lot, to:- (a) start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started.	Sections 107(2) and (3)
Power, as an applicant, to sign the plan of subdivision as if the applicant were the registered owner of the relevant lot.	Section 108A
Power, as the registered owner holding the interest in the lot as trustee, to lodge an instrument of transfer to register the interest as being held as trustee.	Section 110(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a person who is beneficially entitled under a will to a lot or an interest in a lot of a deceased registered proprietor, to apply to the registrar to be registered as proprietor of the lot.	Section 112(1)
Power, as a person mentioned in section 114(1), to apply to the Supreme Court for an order to be registered as proprietor of the lot.	Section 114(2)
Power to lodge a caveat.	Section 122
Power to withdraw a caveat.	Section 125
Power, as a caveatee, to serve on the caveator a notice requiring the caveator to start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat and to notify the registrar of service of the notice.	Sections 126(2) and (3)
Power, as a caveator served with a notice under subsection (2), to:- (a) start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat; and (b) notify the registrar that a proceeding has been started and the identity of the proceeding.	Section 126(4)
Power, as a caveatee, to apply to the Supreme Court for an order that a caveat be removed.	Section 127(1)
Power to lodge a request to cancel a caveat.	Section 128(1)
Power to seek the leave of a court of competent jurisdiction to lodge a further caveat.	Section 129(2)
Power to deposit a priority notice for a lot.	Section 139(1)
Power to deposit a request to extend a priority notice.	Section 141(1)
Power to deposit a request to withdraw a priority notice.	Section 143(1)
Power, as an affected person for a lot to which a priority notice applies, to apply to the Supreme Court for an order that the priority notice be removed.	Section 144(1)
Power to deposit a request to cancel a priority notice.	Section 145(1)(a)
Power, as the depositor of a priority notice, to request a correction to the priority notice.	Section 149(1)
Power to comply with a requisition given to Council by the registrar.	Section 156(3)
Power to apply to the registrar to relodge an instrument that the registrar has permitted to be withdrawn.	Section 159(4)
Power to comply with a requirement of the registrar to deposit an instrument for correction or cancellation.	Section 160
Power to comply with a requirement of the registrar to lodge a plan of survey for the lot.	Section 165
Power to lodge a standard terms document and amend a standard terms document on Council's behalf.	Section 169(1)
Power to request the registrar to withdraw a standard terms document on Council's behalf	Section 172(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a person affected by a correction, to apply to the Supreme Court for an order that the correction be amended or set aside.	Section 186(2)
Power, as a person with an entitlement to compensation under section 188 or 188A, to apply to the Supreme Court for an order:- (a) for compensation to be paid by the State; (b) directing the registrar to take stated action.	Section 188B(1)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: LAND VALUATIONS

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257
Land Valuations Act 2010

Delegated Power:

1. To exercise the powers of Council pursuant to the *Land Valuations Act 2010*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to consult with the valuer-general about a proposed decision not to make an annual valuation of land.	Section 74
Power to give the valuer-general valuation-related documents, information about a sale or proposed sale of land for unpaid rates and information about all land Council acquires or disposes of.	Section 244

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position

1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

**TITLE: LOCAL GOVERNMENT
AUTHORITY TO SIGN**

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257
Local Government Act 2009

Delegated Power:

1. To exercise the powers of Council pursuant to the *Local Government Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to sign a document on behalf of a local government as a delegate of the local government.	Section 236

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register

DELEGATION OF AUTHORITY

**TITLE: LOCAL GOVERNMENT ACT
FINANCE AND PROCUREMENT**

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257

Local Government Act 2009

Local Government Regulation 2012

Delegated Power:

1. To exercise the powers of Council pursuant to the *Local Government Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to conduct a public benefit assessment of a new significant business activity	Section 46(2)
Power to prepare a report on the public benefit assessment in accordance with section 46(5) of the <i>Local Government Act 2009</i> .	Section 46(5)
Power to apply a code of competitive conduct to a business activity other than a business activity prescribed under a regulation.	Section 47(9)
Power to establish a system of financial management, except those parts of the system that must be adopted by resolution (e.g. 5-year corporate plan, budget and operational plan).	Section 104(1)
Power to regularly review and update the financial policies of Council.	Section 104(6)
Power to carry out a review of the implementation of the annual operational plan annually.	Section 104(7)
Power to give the public notice of the disbursement of funds not provided for in the local government's budget.	Section 110
Power to make a submission as a local governing body within the meaning of the Local Government (Financial Assistance) Act to assist the Local Government Grants Commission to make a decision about funding under the Local Government (Financial Assistance) Act.	Section 228(4)

2. To exercise the powers of Council pursuant to the *Local Government Regulation 2012*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to identify and assess each new significant business activity for possible reform involving full cost pricing, commercialising, or corporatising the activity.	Section 18
Power, when conducting a relevant business activity, to carry out all functions described in subsections (a), and (c) to (f).	Section 41(1)

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power to ensure the public can inspect a copy of the report given to Council under section 52.	Section 53
Power to give notice of the resolution made pursuant to section 55(1) to the entities listed in subsection (4).	Section 55(4)
Power to establish a register of business activities to which the competitive neutrality principle applies.	Section 56(1)
Power in relation to a mall to do any of the following: (a) anything necessary or desirable for developing, managing, maintaining (including cleaning), promoting or using a mall; (b) permit the use of any part of the mall on conditions it considers appropriate; (c) anything incidental to its powers mentioned in (a) or (b).	Section 58(2)
Power to keep a written record, in the way required by subsection (2), which states the matters identified in subsection (1).	Section 164
Power to spend money in a financial year before the budget is adopted if Council provides for that spending in the budget for the financial year.	Section 173(1)
Power to give a grant to a community organisation in the public interest and consistent with the local government's community grants policy.	Section 194
Power to spend money on entertainment or hospitality consistent with the local government's entertainment and hospitality policy.	Section 196(2)
Power to spend money on advertising to provide information or education that is in the public interest and consistent with the local government's advertising spending policy.	Section 197(2)
Power to:- 1. establish a trust fund; 2. deposit trust money in a financial institution account; and 3. reconcile the assets of the trust fund with the liabilities of the trust fund at least monthly.	Section 200
Power to transfer money to or from a trust fund in accordance with section 201.	Section 201
Power to make publicly available an availability notice.	Section 201B(4)
Power to establish separate accounting records for Council's:- (a) operations; and (b) its trust fund.	Section 203
Power to prepare a financial report.	Section 204
Power to give the financial statements referred to in subsections (1) and (2) to the auditor-general.	Section 212
Power to give the department's chief executive a notice stating that Council has paid notional GST for the previous financial year.	Section 215
Power to give the public notice of a proposed resolution to apply Chapter 6, part 2 to its contracts.	Section 218(2)(b)
Power to allow the public to inspect and buy copies of the contracting plan that has been adopted.	Section 220(8)

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power to set the value limit for valuable non-current assets other than land.	Section 224(7)(b)
Power to invite written quotes for a medium-sized contractual arrangement.	Section 225(1)
Power to decide to accept a quote or to decide not to accept any of the quotes it receives for a medium-sized contractual arrangement.	Section 225(3) and (4)
Power to enter a medium-sized contractual arrangement after first inviting written quotes for the contract.	Section 225
Power to invite written tenders for a large-size contractual arrangement.	Section 226(1)
Power to enter a large-sized contractual arrangement after first inviting written tenders for the contract.	Section 226
Power to invite written tenders for a valuable non-current asset contract or to offer a non-current asset for sale by auction.	Section 227(1)
Power to enter a valuable non-current asset contract after first inviting written tenders for the contract or offering the non-current asset for sale by auction.	Section 227
Power to invite expressions of interest pursuant to section 228. The local government: (a) decides, by resolution, that it would be in the public interest to invite expressions of interest before inviting written tenders; and (b) records its reasons for making the resolution in the minutes of the meeting at which the resolution was made.	Section 228(2)(b)
Power to prepare a shortlist of people from the persons who responded to the invitation for expressions of interest and to invite written tenders from those persons.	Section 228(6)
Power to invite all persons who submitted a tender to change their tender to take account of a change in the tender specifications.	Section 228(7)
Power to decide to accept a tender or not to accept any tenders it receives.	Sections 228(8) and (9)
Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in accordance with a quote or tender consideration plan adopted by local government resolution.	Section 230(1)
Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement for services with a person on an approved contractor list.	Section 231(2)
Power to put together an approved contractor list.	Section 231(4)
Power to enter into a contract for a medium-sized contractual arrangement or large-sized contractual arrangement for the supply of goods or services with a supplier from a register of pre-qualified suppliers.	Section 232(2)
Power to establish a register of pre-qualified suppliers of particular goods or services.	Section 232(3)
Power to invite suppliers to tender to be on a register of pre-qualified suppliers.	Section 232(4)

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement for goods or services with a preferred supplier under a preferred supplier arrangement.	Section 233(2)
Power to enter a preferred supplier arrangement.	Section 233(2)
Power to invite persons to tender for a preferred supplier arrangement.	Section 232(3)
Power to enter into a contract for goods and services under an LGA arrangement.	Section 234(1)
Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in circumstances specified in section 235. <i>Nb. For subsections 235(a) and 235(b) it is a legislative precondition to the exercise of the power that Council first pass the resolution referred to in the respective subsection.</i>	Section 235
Power to dispose of a valuable non-current asset other than by tender or auction in circumstances specified in section 236. <i>Nb. For subsections 236(1)(a) to 236(1)(e) it is a legislative precondition to the exercise of the power that Council first pass the resolution referred to in subsection 236(2).</i>	Section 236
Power to publish and display relevant details of a contractual arrangement worth \$200,000.00 or more (exclusive of GST).	Section 237
Power to make the adopted expenses reimbursement policy available for inspection and purchase by the public and to publish that policy on Council's website.	Section 251
Power to make a reasonable allocation of its administrative and overhead costs to each relevant activity, having regard to all of a local government's relevant activities.	Schedule 4 section 5
Power to ensure the terms on which the cost of resources is based are similar to the terms on which they are made available in conducting the relevant entity.	Schedule 4 section 6
Power to decide an amount for depreciation of an asset used in conducting a relevant activity that is appropriate in the circumstances.	Schedule 4 section 7
Power to work out tax equivalents for Commonwealth or State taxes Council is not liable to pay as a local government and keep details of the calculations.	Schedule 4 section 8
Power to take account of amounts equivalent to the cost of funds advantage obtained over commercial interest rates because of a State guarantee.	Schedule 4 section 9
Power to decide the amount for the return on capital used by a local government in conducting a relevant activity.	Schedule 4 section 10

Including the authority to:

- (a) undertake the following procurement and contracting activities:
 - (i) invite written quotes for medium-sized contractual arrangements;

- (ii) invite written tenders for large-sized contractual arrangements;
 - (iii) invite expressions of interest (following Council resolution);
 - (iv) invite offers for the sale of valuable non-current assets (other than sale of land) by written tender or auction; and
- (b) make, enter into, amend or discharge contracts (established by the aforementioned methods) for up to \$1,000,000 (excluding GST) for the:
 - (i) procurement of goods and services (including contracts about carrying out of works);
 - (ii) the disposal of valuable non-current assets (but not the sale of land);
 - (iii) the disposal of goods and assets (that are valuable non-current assets).
- (c) make, enter into, amend or discharge contracts from the following properly established medium-sized and large-sized contractual arrangements:
 - (i) quote or tender consideration plan;
 - (ii) approved contractor list;
 - (iii) register of pre-qualified suppliers;
 - (iv) preferred supplier arrangement;
 - (v) LGA arrangement;
 - (vi) an entity resolved by Council as a sole supplier;
 - (vii) an entity resolved by Council as providing specialised or confidential services;
 - (viii) when a genuine emergency exists;
 - (ix) the contract is for the goods and is made by auction;
 - (x) the contract is for second-hand goods; or
 - (xi) the contract is made with, or under an arrangement with, a government agency.
- (d) make, enter into, amend or discharge contracts for valuable non-current asset exceptions, subject to legislative conditions and Council resolution:
 - (i) disposal of an interest by renewal to an existing tenant of the land;
 - (ii) disposal of an interest in land to a person who owns the adjoining land;
 - (iii) disposal of an interest in land by lease for a telecommunications tower;
 - (iv) disposal of a valuable non-current asset, other than land, by way of a trade-in for the supply of goods and services; or
 - (v) following Ministerial exemption (Council resolution not required).
- (e) authorise payments under a properly established contract;
- (f) authorise the issue of purchase cards up to the approved limit; and
- (g) authorise statutory payments and specific system payments.

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.

2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

**TITLE: LOCAL GOVERNMENT ACT
GOVERNANCE**

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257

Local Government Act 2009

Local Government Regulation 2012

Delegated Power:

1. To exercise the powers of Council pursuant to the *Local Government Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to establish an efficient and effective internal audit function.	Section 105(1)
Power, as a large local government, to establish an audit committee.	Section 105(2)
Power to maintain public liability insurance and professional indemnity insurance.	Section 107(1)
Power to enter into a contract of insurance with WorkCover Queensland or another insurer to cover its councillors.	Section 107(3)

2. To exercise the powers of Council pursuant to the *Local Government Regulation 2012*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to discharge Council's responsibilities in a way that is consistent with the adopted 5-year corporate plan.	Section 165(4)
Power to discharge Council's responsibilities in a way that is consistent with the adopted annual operational plan.	Section 174(5)
Power to omit information from the copies of the annual performance plan (which is part of the annual operational plan) made available to the public if subsections (3)(a) and (b) are satisfied.	Section 175(3)
Power to publish Council's annual report on Council's website.	Section 182(4)
Power to allow the public to inspect and purchase copies of the documents referred to in subsection (1).	Section 199(2)
Power to:- (a) prepare an internal audit plan; (b) carry out an internal audit; (c) prepare a progress report for the internal audit; (d) assess compliance with the internal audit plan; and (e) give the documents referred to in subsection (3) to the audit committee.	Section 207

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power to appoint the members of the audit committee.	Section 210(1)
Power to appoint one of the members of the audit committee as chairperson.	Section 210(3)
Power to do all things specified in subsection (4) in relation to Council's complaints management process and administrative action complaints.	Section 306(4)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

**TITLE: LOCAL GOVERNMENT ACT
LEGAL, RESPONSIBILITIES AND OTHER**

Delegation by the Council to:

Date: 17 September 2020

Chief Executive Officer

Source of Authority:

Local Government Act 2009 – Section 257

Local Government Act 2009

Local Government Regulation 2012

Delegated Power:

1. To exercise the powers of Council pursuant to the *Local Government Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to conduct a joint government activity.	Section 10
Power to:- (a) review whether each division of its local government area has a reasonable proportion of electors for each councillor elected for the division; and (b) give the electoral commissioner and the Minister written notice of the results of the review no later than 1 March in the year before the quadrennial elections.	Section 16
Power to make submissions to the change commission in response to a request for submissions in relation to a proposed local government change.	Section 19
Power to decide the local government's process for making a local law consistent with Chapter 3, Part 1 of the <i>Local Government Act 2009</i> .	Section 29(1)
Power to consult with relevant government entities about the overall State interest in a proposed local law.	Section 29A(3)
Power to make submission to the Minister about the Minister's proposed exercise of the power.	Section 120(3)(d)
Power to make a complaint to the assessor about the conduct of a councillor.	Section 150O(1)
Power, as a government entity, to refer a complaint about the conduct of a councillor to the assessor and give the assessor all information held by the entity that relates to the complaint.	Section 150P(2)
Power, as the person who made the complaint, to comply with a notice to give the assessor further information about the complaint.	Section 150Q(2)
Power, in either of the circumstances listed in subsection (1), to give the assessor a notice about the councillor's conduct and all information held by Council that relates to the conduct.	Section 150S(2)

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power to publish Council's investigation policy on Council's website.	Section 150AE(4)
Power to investigate the councillor's conduct.	Section 150AF(1)
Power, where the council obtains information indicating that a councillor may have engaged in misconduct, to give the information to the assessor for further investigation under division 4.	Section 150AF(4)
Power, as an occupier of a place, to consent to the entry of the investigator and to impose conditions on the entry.	Sections 150BI(1) and (2)
Power, as an occupier of a place, to sign an acknowledgement of the consent.	Section 150BM(1)
Power, as an occupier of a place, to comply with a help requirement.	Section 150BV(1)
Power to apply to the assessor for the return of a seized item.	Section 150CE(3)
Power to comply with a notice from the investigator requiring information to be provided.	Section 150CH(2)
Power to claim compensation from the State if the Council incurs loss because of the exercise, of a power by or for an investigator, including a loss arising from compliance with a requirement made of Council under division 3, 4 or 5.	Section 150CN
Power, as a person given, or entitled to be given, an information notice under section 150CC, to apply for an internal review.	Section 150CO
Power to ask the assessor to extend the time for making the application.	Section 150CP(2)
Power, as an applicant dissatisfied with a review decision made by the assessor, to apply to QCAT for a review of the decision.	Section 150CR
Power to request the conduct tribunal to:- (a) investigate the suspected inappropriate conduct of a councillor referred to the local government, by the assessor, to be dealt with by the local government; and (b) make recommendations to the local government about dealing with the conduct.	Section 150DL
Power to pay the costs of the conduct tribunal in relation to the conduct tribunal:- (a) conducting a hearing about the misconduct of a councillor under part 3, division 6; or (b) at the request of the local government, investigating the suspected inappropriate conduct of a councillor and making recommendations to the local government about dealing with the conduct	Section 150DU
Power to keep an up-to-date councillor conduct register, publish the register on Council's website and make the register available for inspection and purchase by the public.	Section 150DX

2. To exercise the powers of Council pursuant to the *Local Government Regulation 2012*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make available for inspection at its public office, a copy of the local government's area map	Section 6(6)
Power to give an extract or certified copy of a local law from the local government's register of local laws where the person has paid the applicable fee.	Section 14(2)
Power to publish the register of local laws on Council's website.	Section 14(4)
Power to: (a) construct, maintain, manage and regulate the use of harbours for small vessels in or over tidal waters; (b) construct, maintain, manage and regulate the use of jetties, breakwaters and ramps in or over tidal waters; and (c) to occupy and use foreshore, tidal land or tidal waters to undertake work in exercising those powers.	Section 59
Power to give notice of each meeting or adjourned meeting of Council to each councillor.	Section 258
Power to give written notice of the intention to propose the repeal or amendment of a resolution.	Section 262
Power to make available for inspection and purchase the minutes of each meeting (Council and committee meetings).	Section 272(4)
Power to allow a person to take part in a meeting (Council or committee meetings) by teleconferencing and approve the teleconferencing arrangement.	Section 276(2) and (3)(b)
Power to publish the notice mentioned in subsection (1).	Sections 277(1) and (2)
Power to display in a conspicuous place in Council's public office a notice of the days and time when Council meetings will be held and committee meetings will be held.	Sections 277(3)
Power to notify any change to the days and times of meetings (Council and committee meetings).	Section 277(4)
Power to make available for inspection and publish on Council's website, the list of items to be discussed at a meeting (Council and committee meetings).	Section 277(5) and (6)
Power, in the circumstances set out in subsection 277D(1), to ensure the meeting is available for real-time viewing or listening by the public at 1 of the local government's public offices or on the local government's website.	Section 277D(2)
Power to make a copy of the register of interests of councillors available for inspection by the public at Council's public office and on its website.	Sections 295

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: LOCAL GOVERNMENT ACT PEOPLE AND PAYROLL	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>	

Delegated Power:

1. To exercise the powers of Council pursuant to the *Local Government Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to:- (a) employ local government employees; (b) agree to the terms and conditions of an employee's employment (including any variation to those terms); and (c) terminate a local government employee's employment. <i>This power does not include the power to appoint employees which is separately dealt with under section 196(3) of the Act.</i>	Section 196(2)
Power to agree with other local governments about the joint employment of a local government employee.	Section 198
Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into LGIASuper.	Section 219(1)
Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into another fund directed by the employee.	Section 219(2)
Power, as a local government other than the Brisbane City Council, to comply with a notice giving by the LGIASuper Trustee under subsection 219A(1).	Section 219A
Power to pay a yearly superannuation contribution in the circumstances prescribed in section 220.	Section 220
Power, as a local government, to deduct all or part of the employee's contributions from the employee's salary or any money that the employee owes to Council.	Section 220A(4)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, in the circumstances set out in subsection 220B(1), to agree in writing with an employee:- (a) to reduce the pre-agreement contributions to the amount equal to the employee's concessional contributions cap for the financial year; and (b) if a yearly contribution made under section 220A(3) is part of the pre-agreement contributions – on the extent, if any to which a contribution mentioned in 220B(1)(a) of (b) will be reduced to achieve the reduction.	Section 220B(2)
Power, where the pre-agreement contributions are reduced under subsection 220B(2), to pay the amount of the reduction to the employee as salary.	Section 220B(3)
Power, as an employer, to agree in writing with an employee:- (a) that the employee is exempt, on the grounds of the employee's financial hardship, from paying all or a stated part of the contributions payable under section 220A(2) by the employee; and (b) on the period, of not more than 1 year, of the exemption.	Section 221(2)
Power, as an employer, to give a copy of the agreement made under subsection 220(2) to the relevant trustee.	Section 221(4)
Power, as an employer who has received a notice from the employee under subsection 222(2), to calculate the yearly contributions payable for the employee based on the employee's salary before it was decreased.	Section 222(3)
Power, in the circumstances set out in subsection 224(1), to pay interest on the amount of the contribution to the relevant fund for the employee.	Section 224(2)
Power, as a local government (other than the Brisbane City Council), to, for its councillors:- (a) establish and amend a superannuation scheme; or (b) take part in a superannuation scheme..	Section 226(1)
Power, as a local government who has exercised its power under subsection 226(1), to pay an amount from its operating fund to the superannuation scheme as a contribution for its councillors.	Section 226(2)
Power to enter into an arrangement with a councillor under which – (a) the councillor agrees to forgo a percentage or amount of the remuneration that the councillor is entitled to as a councillor; and (b) the local government agrees to contribute the percentage or amount to the superannuation scheme for the councillor.	Section 226(4)

2. To exercise the powers of Council pursuant to the Local Government Regulation 2012.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to pay remuneration to each councillor.	Section 247(1)
Power, in the circumstance identified in subsection (1), to make a submission to the remuneration commission for approval to pay a councillor an amount of remuneration of more than the maximum amount.	Section 248(2)

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power, as a former employer, to pay the new employer an amount for the number days of long service leave that the person is entitled to take because of the person's period of employment with the former employer.	Sections 287(1)
Power, as a former employer, to provide the new employer with the information specified in subsection (3).	Sections 287(3)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: LOCAL GOVERNMENT RATES	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>	

Delegated power:

1. To exercise the powers of council pursuant to the *Local Government Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to register a charge over land for overdue rates and charges under section 95 of the <i>Local Government Act 2009</i> .	Section 95
Power to lodge documents with the Registrar of Titles for release of the charge if overdue rates and charges are paid.	Section 95

2. To exercise the powers of Council under the *Local Government Regulation 2012*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to identify, in any way considered appropriate, parcels of rateable land to which a minimum amount of general rates apply.	Section 77(2)
Power to identify, in any way considered appropriate, the rating category to which each parcel of rateable land in the local government area belongs. <i>Nb. this section is only required where Council is levying differential general rates.</i>	Section 81(4)
Power to decide what rating category the land referred to in subsection (1) should be in. <i>Nb. this section is only required where Council is levying differential general rates.</i>	Section 82(2)
Power to ensure that each relevant rate notice is accompanied by, or contains, a rating category statement. <i>Nb. this section is only required where Council is levying differential general rates.</i>	Section 88(2)
Power to allow a longer period within which an owner of rateable land must give an objection notice.	Section 90(5)(b)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges to the current owners of the land on which the special rates or charges were levied. <i>Nb. this section is only required where Council is levying special rates or charges.</i>	Section 96(2)
Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges (in the proportions stipulated in subsection (3)) to the current owners of the land on which the special rates or charges were levied. <i>Nb. this section is only required where Council is levying special rates or charges.</i>	Section 97(2)
Power, in the circumstance referred to in subsection (1), to return paid special rates or charges to the person who paid them.	Section 97(2)
Power to levy rates or charges by a rate notice.	Sections 104
Power to include on a rate notice an amount, other than an amount for rates or charges, payable to Council.	Sections 105
Power to determine a period considered appropriate for the issue of a rate notice.	Section 107(1)
Power to give a rate notice and, if required, a rating category statement, electronically.	Section 108
Power, where land becomes, or stops being, rateable land, to adjust the rates so that the rates are calculated only on the period when the land was rateable land.	Section 110
Power, if the value of the land changes under the Land Valuation Act, to adjust the rates so that the rates are calculated on the new value of the land for the period that starts on the day the change takes effect.	Section 111
Power, if the land is given a rating category, including a change of rating category, to adjust the general rates so that the rates are calculated on the new or changed rating category for the period that starts on the day the land was given the new or changed rating category.	Section 112
Power, if the land becomes, or stops being, land on which the local government may levy special rates or charges, to adjust the rates or charges so that the rates or charges are calculated on the period when the land was land on which the local government could levy special rates or charges.	Section 113
Power, in the circumstance of subsection (1), to adjust the rates or charges so that the rates or charges are calculated only for the period when the person was entitled to occupy the land.	Section 114
Power, where rates or charges are paid before they are adjusted, to refund the overpaid amount of rates or charges, or recover the amount of rates or charges owing.	Section 115
Power to levy rates or charges, or adjust a rates or charges levy in a financial year, even though the resolution for making the rates or charges was made for a previous financial year.	Section 117
Power to accept an application from a ratepayer made under subsection (1)(a).	Section 122(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to be satisfied that a ratepayer is eligible for a concession granted pursuant to a resolution made under subsection (1)(b).	Section 122(4)
Power, in the relevant circumstances of section 123, to grant a rebate of rates or charges for land occupied by pensioners.	Section 123
Power, in the circumstances referred to in subsection (1), to refund the amount of the rebated rates or charges to the ratepayer.	Section 124(2)
Power to still allow a discount where satisfied that the ratepayer has been prevented, by circumstances beyond their control, from paying the rates or charges in time to get the discount.	Section 130(10)
Power to give a benefit that is not a discount as an inducement for payment of rates or charges before the due date for payment.	Section 131
Power, for interest on overdue rates or charges, to decide a later day from which interest is payable.	Section 133(1)(a)
Power, for interest on overdue rates or charges, to decide another way to calculate interest, if an equal or lower amount will be payable.	Section 133(2)(b)
Power, for interest on overdue rates or charges, to, for a day before 1 July 2019, decide the rate of interest payable.	Section 133(3)(a)
Power to recover overdue rates or charges by bringing Court proceedings for a debt.	Section 134
Power to give the State or government entity that has an interest in the land under a State encumbrance a notice of Council's intention to sell the land.	Section 138(3)
Power, where Council has by resolution decided to sell the land, to give all interested parties a notice of intention to sell the land.	Section 140(3)
Power, where Council has been paid the amount of the overdue rates or charges, and all expenses that Council has incurred in attempting to sell the land, to end the procedures for selling the land.	Section 141(3)
Power to carry out the procedures to sell land for overdue rates or charges.	Section 142
Power to set a reserve price for the sale by auction of land for overdue rates and charges.	Section 143(1)
Power to enter into negotiations with the highest bidder at the auction to sell the land for overdue rates or charges and to form an agreement to sell the land.	Section 143(2)
Power, in the circumstances set out in subsection (1), to give the registrar of titles an appropriate form.	Section 145(2)
Power to use the proceeds of sale of the land for the purposes and in the order specified.	Section 146
Power, where Council has by resolution decided to acquire the land for overdue rates or charges, to give all interested parties a notice of intention to acquire the land.	Section 149(2)
Power, in the circumstances set out in subsection (1), to start the procedures to acquire land for overdue rates or charges.	Section 150(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, where Council has been paid the amount of the overdue rates or charges, and all expenses that Council has incurred in attempting to acquire the land, to end the procedures for acquiring the land.	Section 150(3)
Power to carry out the procedures to acquire land for overdue rates or charges.	Section 151
Power to keep a land record.	Section 154(1)
Power to include in a land record any other information considered appropriate.	Section 154(2)(e)
Power to provide access to or give copies of the land record kept by Council (including parts of the land record).	Section 155(4)
Power to record the details of the new owner in the land record.	Section 162

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: LOCAL GOVERNMENT ROADS AND STORMWATER DRAINS	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>	

Delegated Power:

1. To exercise the powers of Council pursuant to the *Local Government Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to exercise control of all roads in the local government area including the ability to survey and resurvey roads, construct, maintain and improve roads, approve the naming and numbering of private roads, and name and number other roads.	Section 60
Power to give the owner of land a notice of intention to acquire land.	Section 61
Power to lodge the copy of a notice of intention to acquire land with the Registrar of Titles for registration on the instrument of title to the land.	Section 61(6)
Power to decide a claim for compensation for a notice of intention to acquire land.	Section 62
Power to acquire land after service of notice of intention to acquire instead of paying compensation for injurious affection.	Section 64
Power to assess compensation for acquisition of land.	Section 64
Power to serve notice of decision not to proceed to acquire land the subject of a notice of intention to acquire.	Section 65(3)
Power to withdraw notice of intention to acquire land.	Section 65(4)
Power to lodge with Registrar of Titles for registration a notice of a decision not to proceed with, or to withdraw, notice of intention of realignment of road or part of road.	Section 65(4)
Power to assess and pay the owner of land reasonable compensation for decrease in value of land because of decision not to proceed with realignment of a road or part of a road after giving a notice of intention to acquire land and structural improvements have been made on land that adjoins the road.	Section 66
Power to acquire land that adjoins a road for use as a footpath.	Section 67
Power to submit objection to application for opening or closing of road in local government area by someone other than the local government.	Section 68

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to close a road (permanently or temporarily) to all traffic, or traffic of a particular class, if there is another road or route reasonably available for use by the traffic.	Section 69(1)
(a) Power to close a road to all traffic, or traffic of a particular class: during a temporary obstruction to traffic; or (b) if it is in the interests of public safety; or (c) if it is necessary or desirable to close the road for a temporary purpose (including a fair, for example).	Section 69(2)
Power to publish notice of closing of road.	Section 69(3)
Power to do everything necessary to stop traffic using the road after it is closed.	Section 69(4)
Power to permit the use of any part of a road after it is closed to traffic for a temporary purpose subject to appropriate conditions.	Section 69(5)
Power to make a temporary road through land adjoining the road to be used while the road is being remade or repaired.	Section 70(2)
Power to agree with owner or occupier of land regarding local government entry and the giving of written or oral notice as specified in section 70(3) and (4) of the <i>Local Government Act 2009</i> .	Section 70(3) and (4)
Power to agree with the owner of land the amount of compensation for physical damage caused by local government entering, occupying or using land under section 70 of the <i>Local Government Act 2009</i> .	Sections 70(7) and (8)
Power to fix and advise the owner or occupier or change the permanent level of a road under section 71 of the <i>Local Government Act 2009</i> .	Sections 71(1) and (3)
Power to agree the amount of compensation payable under section 71 of the <i>Local Government Act 2009</i> .	Section 71(4)
Power, in the circumstances set out in subsection 72(1), to require the entity that is conducting the activity to provide information that will enable the local government to assess the impact of the activity on the road.	Section 72(2)
Power, in the circumstances set out in subsection 72(1), to assess impact of the activity on the roads.	Section 72(3)
Power to give the entity conducting an activity a direction about the use of the road to lessen the impact or to require the entity to carry out works to lessen the impact or to pay an amount as compensation for the impact.	Section 72(3)(a) and (b)
Power to recover an amount of compensation payable under subsection 72(3)(b)(ii) in a court.	Section 72(5)
Power to categorise the roads in the local government area according to the surface of the road.	Section 73
Power to prepare and keep up to date a map of every road including private roads in the local government area and a register of roads showing the category of every road, the level of every road that has a fixed level and other particulars prescribed under a regulation.	Section 74(1)
Power to approve the carrying out of works on a road or interference with a road or its operation subject to conditions.	Section 75

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to, by written notice, require the owner of a property to connect a stormwater installation for the property to the local government's stormwater drain in the way, under the conditions and within the time stated in the notice.	Section 77
Power to give approval for the connection of a stormwater installation to the local government's stormwater drain (including the imposition of conditions) in accordance with section 77 of the <i>Local Government Act 2009</i> .	Section 77
Power to give a notice requiring the owner of a property to perform sewerage installation works.	Section 78
Power to perform work to fix damage and recover reasonable costs for the work from a person who puts a prohibited substance in the stormwater drain.	Section 79
Power to provide a ferry service across a water course under section 80B of the <i>Local Government Act 2009</i> including the leasing of the right to provide the ferry service.	Section 80B

2. To exercise the powers of Council pursuant to the *Local Government Regulation 2012*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to enter into arrangements necessary to perform the joint responsibility of the local government where a road or other work is to be, or has been, built: (a) along the boundary between two or more local government areas; and partly in each of the areas.	Section 64(3) <i>Local</i>

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: LIQUOR	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 - Section 257</i> <i>Liquor Act 1992</i>	

Delegated Power:

1. To exercise powers of the Council pursuant to the *Liquor Act 1992*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to apply, as provided under the QCAT Act, to the tribunal for a review of a decision of a commissioner.	Section 30
Power to apply appeal a decision of the tribunal to the Court of Appeal.	Section 35
Power to consent to the making of an application for an adult entertainment permit or to abstain from consenting to the application.	Section 105B
Power to make comments in regard to the grant of an adult entertainment permit.	Section 107D(2)
Power to raise a matter and make comment to the chief executive, where Council is consulted in relation to an application for an extended hours permit.	Section 110(4)(a)
Power to: (a) comment on the reasonable requirements of the public in the locality; or (b) object; in respect of the grant of a relevant application.	Section 117(2)
Power to comment about an application relating to a restricted area.	Section 117A
Power to make a submission about an application which requires a notice to be published under section 118 and a community impact statement to be given under section 116.	Section 118A
Power to make comment in regard to the grant of an application generally.	Section 121(1)(c)
Power to designate a "public place" as a "designated area", for the purposes of permitting the consumption of liquor, and power to set the period or times during which the designation will have effect.	Section 173C(1) and (2)
Power to advertise the designation made under section 173C (1), and power to erect signs advising of the designation, the period and times of the designation.	Section 173D(1) and (3)
Power to repeal or amend the designation under section 173C, and power to advertise the repeal or amendment; erect signs that the designation has been amended; or remove signs if the designation has been repealed	Section 173E (1) and (3)
Power to display a notice regarding a designation at or near each entrance to a place within a restricted area.	Section 173M(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to: (a) display a notice about the suspension of a restricted area designation on each of the section 173M notices displayed for the restricted area whilst the suspension is in force; and (b) notify the Queensland Police Service about the suspension.	Section 173N (3) and (4)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: LOCAL LAWS

Delegation by Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257 & 259

Noosa Shire Council Local Law No. 1 (Administration) 2015

Noosa Shire Council Subordinate Local Law No. 1 (Administration) 2015

Noosa Shire Council Local Law No. 2 (Animal Management) 2015

Noosa Shire Council Subordinate Local Law No. 2 (Animal Management) 2015

Noosa Shire Council Local Law No. 3 (Community and Environmental Management) 2015

Noosa Shire Council Subordinate Local Law No. 3 (Community and Environmental Management) 2015

Noosa Shire Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015

Noosa Shire Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015

Noosa Shire Council Local Law No. 5 (Parking) 2015

Noosa Shire Council Subordinate Local Law No. 5 (Parking) 2015

Noosa Shire Council Local Law No. 6 (Bathing Reserves) 2015

Noosa Shire Council Subordinate Local Law No. 6 (Bathing Reserves) 2015

Noosa Shire Council Local Law No. 7 Waste Management 2018

Delegated Power:

1. To exercise the powers of local government under the Local Government's Local Laws including but not limited to the following:
 - (a) keep and maintain a register;
 - (b) approve a form, accept or obtain a certificate, renew, refuse, extend, transfer, amend, suspend, restrict, request further reasonable information or clarification, impose prescribed conditions, cancel, make null and void, apply and amend conditions, waive requirements and grant an approval¹;
 - (c) give a written, information, impounding, show cause or compliance notice;
 - (d) take a sample for analysis;
 - (e) offer a reward for information;
 - (f) recover the cost of an action from the responsible person;
 - (g) review an original decision;
 - (h) extend the time for making a review on an original decision;
 - (i) give a stop order;
 - (j) advise the community by signage from where animals are prohibited, or the designation of dog off leash areas;
 - (k) declare or revoke an animal other than a dog to be a declared dangerous animal;

¹ An approval means a consent, permit, authorisation, registration, membership, label or approval under a local government act or a local law and includes all the conditions of a consent, permit, authorisation, registration, membership or approval.

- (l) establish an animal pound² or join with another local government or agency to establish an animal pound;
 - (m) keep and make available for inspection a register of impounded animals;
 - (n) make a destruction order and destroy an animal;
 - (o) dispose of or offer an animal for sale by public auction or tender;
 - (p) erect, install and maintain a sign;
 - (q) give a relevant place a name;
 - (r) seize, impound and dispose of goods and animals;
 - (s) form an opinion for land adjoining a road to be fenced to prevent risk; and
 - (t) issue a parking permit.
 - (u) issue an infringement notice
2. To exercise the powers of local government under *Noosa Shire Council Local Law No. 6 (Bathing Reserves) 2015* including the authority to appoint:
- (a) an employee of the local government as an authorised person;
 - (b) other persons who are eligible for appointment as authorised persons under the *Local Government Act 2009*;
 - (c) assign to a lifesaving club the responsibility for patrolling a bathing reserve.

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

² Subject to the *Planning Act 2016*

DELEGATION OF AUTHORITY

TITLE: NATURE CONSERVATION

Delegation by the Council to:

Date: 17 September 2020

Chief Executive Officer

Source of Authority:

Local Government Act 2009 - Section 257

Nature Conservation Act 1992

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Protected Areas Management) Regulations 2017

Nature Conservation (Administration) Regulation 2017

Delegated Power:

1. To exercise powers of the Council pursuant to the *Nature Conservation Act 1992*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a person given written notice about a proposal to declare an area of land a special wildlife reserve, to make a submission to the Minister about the proposal.	Section 43A(6)
Power, as a landholder, to enter a conservation agreement with the Minister for a proposed special wildlife reserve.	Section 43B(1)
Power, as a landholder, to agree with the Minister to amend a conservation agreement for a special wildlife reserve.	Section 43E(1)
Power, as a landholder of land in a special wildlife reserve, to consent to the Minister giving a lease, agreement, licence, permit or other authority over or in relation to the land.	Section 43F(1)
Power, as a landholder of land in a special wildlife reserve, to give a lease or sublease over the land, to obtain the consent of the chief executive for that lease or sublease, and to lodge the lease for registration with the entity required by section 43F(3).	Sections 43F(1)(c) and 43F(3)
Power, where a special wildlife reserve is declared over freehold land or land in a lease under the <i>Land Act 1994</i> , and Council intends, under the <i>Land Act 1994</i> to surrender all or part of the freehold land or lease, allow the lease to expire at the end of its term or transfer the lease, to obtain the chief executive's written consent.	Section 43L
Power, as a landholder, to make a submission to the Minister about the proposed declaration of a nature refuge.	Section 44(4)
Power, as a landholder, to enter a conservation agreement with the Minister about the declaration of a nature refuge.	Sections 45(1) and 48(1)
Power, as a landholder, to request the cancellation of a conservation agreement.	Section 47(2)
Power, as a landholder, to make an objection to a proposed compulsory declaration of a nature refuge.	Section 49(2)(c)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a landholder, to claim compensation for injurious affection arising out of the declaration of a nature refuge under section 49 of the Act.	Section 67(5)
Power, as a local government, to prepare a statement of management intent for protected wildlife required by the Minister and publish it on Council's website.	Section 100K
Power, as a landholder of land subject to an interim conservation order, to claim compensation.	Section 108(1)
Power, as a landholder, to make a submission about a draft management plan.	Section 115A(3)(c)
Power, as a landholder intending to enter a conservation agreement for a special wildlife reserve, to prepare and give the Minister a management program for the reserve.	Section 120EA
Power, as a landholder of land in a special wildlife reserve, to prepare an amended management program for the reserve and give it to the chief executive for approval.	Section 120EF(1)
Power, as a landholder of land in a special wildlife reserve, to jointly review the management program for the reserve with the chief executive, and agree to prepare an amended management program under section 120EF or leave the management program unchanged.	Section 120GA
Power, as a landholder, to claim compensation for injurious affection arising where:- (a) a regulation is made, or a conservation plan is approved, for an area identified under the regulation or plan as, or including, a critical habitat or an area of major interest; and (b) a landholder's interest in land in the area is injuriously affected by a restriction or prohibition imposed under the regulation or plan on the landholder's existing use of the land.	Section 137A(5)

2. To exercise powers of the Council pursuant to the *Nature Conservation (Wildlife Management) Regulation 2006*.

Please note that this register only includes those powers which Councils have in relation to the management of flying-foxes under the Regulation. It does not include powers to apply for the various other permits/authorities contained in the Regulation

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a local government, to:- (a) destroy a flying-fox roost; (b) drive away, or attempt to drive away, a flying-fox from a flying-fox roost; or (c) disturb a flying fox in a flying-fox roost, in an urban flying-fox management area.	Section 41A
Power, as the holder of a damage mitigation permit, to give a return of operations for the permit to the chief executive.	Section 188
Power, as the holder of a flying-fox roost management permit, to give a return of operations for the permit to the chief executive.	Section 188G

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a local government, to give the Chief Executive information about:- (a) an area zoned for use for residential or commercial purposes under the local government's planning scheme; and (b) ask the chief executive to amend the urban flying-fox management area map to include the area.	Section 379(2)
Power, as a local government, to respond to a request from the Chief Executive pursuant to this section.	Section 383(2)(a)

3. To exercise powers of the Council pursuant to the *Nature Conservation (Protected Area Management) Regulation 2017*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as trustee of a conservation park listed in schedule 1, column 1, to exercise the powers of the chief executive stated in schedule 1, column 3 for that park.	Section 14(2)(b)
Power, as trustee of a conservation park listed in schedule 1, column 1, to use a fee charged for a service provided in the park for giving effect to the management principles for the park	Section 16(2)

4. To exercise powers of the Council pursuant to the *Nature Conservation (Administration) Regulation 2017*.

Please note that this register only includes powers associated with an application for a relevant authority. It does not include powers associated with the making of a commercial agreement.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to apply for the grant of a relevant authority and to do all things necessary to process the application to obtain a decision.	Sections 23, 24, 26, 28, 29, 30
Power to apply for the amendment of a relevant authority.	Section 58
Power to make representations in response to a notice issued by the Chief Executive pursuant to this section.	Section 60
Power to make representations in response to a notice issued by the Chief Executive pursuant to this section.	Section 65
Power to return a relevant authority to the chief executive.	Sections 66(2), 67(2) and 68
Power to apply to the Chief Executive for replacement of a damaged, destroyed, lost or stolen relevant authority.	Section 80
Power to surrender a relevant authority to the Chief Executive.	Section 81
Power to apply for internal review of a reviewable decision and to do all things necessary to process the application to obtain a decision.	Sections 116 and 118
Power, as a person who is given, or is entitled to be given, a notice under section 117(3) about a decision, to apply to QCAT for external review of the decision.	Section 119
Power to give a return of operations to the chief executive.	Section 143

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to keep a copy of a return of operations given to the chief executive.	Section 145
Power to give the chief executive a notice stating a return of operations has been stolen, lost, destroyed or damaged.	Section 146

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: PEACEFUL ASSEMBLY	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 - Section 257</i> <i>Peaceful Assembly Act 1992</i>	

Delegated Power:

- To exercise the powers of Council pursuant to the *Peaceful Assembly Act 1992*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to nominate an officer of Council as a “ <i>representative</i> ”.	Section 4
Power, as a local authority, to give a notice under subsection (2)(b) and impose conditions in the notice.	Sections 10(2)(b) and 11
Power, as an owner or occupier, to give a notice under subsection (2)(c).	Section 10(2)(c)
Power, as a relevant authority, to consult under subsections (4) or (5).	Sections 11(4) or (5)
Power, as a relevant authority, to apply to a Magistrates Court for an order refusing to authorise the holding of the assembly.	Section 12
Power, as a relevant authority, to consult with each interested person.	Section 13(1)(c)
Power, as a relevant authority, to engage in a mediation process.	Section 13(1)(d)
Power, in the circumstances provided in subsection (3), to:- (a) fix a reasonable time and place for holding the consultations; and (b) cause a notice of the time and place to be published in a newspaper circulating in the area in which the assembly is proposed to be held.	Section 13(3)
Power, as a relevant authority, to notify the organiser in writing that it does not oppose the holding of the assembly.	Section 15(1)
Power, as a relevant authority, to participate in a mediation process.	Section 15(2)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: PLANNING

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 - Section 257
Planning Act 2016
Planning Regulation 2017
Development Assessment Rules

Delegated Power:

- To exercise the Council's powers pursuant to the *Planning Act 2016*

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make submissions to the Minister about the making or amending of a State Planning instrument.	Section 10
Power to give notice of a proposed planning scheme or proposed amendment to the chief executive and follow the process for making or amending a planning scheme. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 18, 20 and 26 and as required under a notice give by the chief executive or in the Minister's rules. <i>This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.</i>	Sections 18, 20 and 26
Power to apply a planning scheme as a categorising instrument in relation to prescribed tidal works in the tidal area for Council's local government area	Section 19
Power to follow the process for the making or amending of an LGIP as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 21 and 26 and as required in the Minister's rules. <i>This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.</i>	Sections 21 and 26
Power to follow the process for the making or amending of a planning scheme policy as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 22 and 26 and as required in the Minister's rules. <i>This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.</i>	Sections 22 and 26

DESCRIPTION OF POWER DELEGATED	LEGISLATION
<p>Power to follow the process for the making or amending of a TLPI as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 23 and 26 and as required in the Minister's rules.</p> <p><i>This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.</i></p>	Sections 23 and 26
<p>Power to follow the process for repealing a TLPI or planning scheme policy. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 24.</p> <p><i>This delegation does not include the power to decide to repeal the TLPI or planning scheme policy which is required to be exercised by Council pursuant to a resolution of Council (see subsection (1)).</i></p>	Section 24
<p>Power to review a planning scheme and a LGIP and follow the process for the review as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 25 and 26 and as required in the Minister's rules.</p> <p><i>This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.</i></p>	Sections 25 and 26
Power to decide whether or not to agree to a superseded planning scheme request and give notice of the decision.	Section 29
Power to decide a compensation claim. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters detailed in sections 32 and 33.	Sections 32 and 33
<p>Power to make or amend a designation and follow the process in the designation process rules. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters detailed in sections 35, 36, 37, 38 and the designation process rules.</p> <p><i>This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.</i></p>	Sections 35, 36, 37 and 38
Power, as an affected party, to make submissions about the proposal to the Minister.	Section 37(4)
Power to extend the duration of a designation. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 39.	Section 39
Power to repeal a designation made by Council. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 40 and 41.	Sections 40 and 41
Power, as an owner of an interest in designated premises, to request a designator to repeal a designation made by the designator on the basis that the designation is causing the owner hardship.	Section 41(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to include a note about the making, amendment, extension or repeal of a designation in Council's planning scheme. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 42.	Section 42
Power, as the assessment manager and where the circumstances of section 45(6) apply, to give the weight considered appropriate in the circumstances to the documents referenced in section 45(8).	Section 45(8)
Power to give an exemption certificate for the development. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 46.	Section 46
Power to act as the "assessment manager" for all development applications, change representations, cancellation applications and extension applications received by Council under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of an assessment manager and consider all matters as detailed in sections 48, 51, 53, 54, 59, 60, 61, 62, 63, 64, 65, 67, 71, 76, 84, 85, 86, 87, 93, 100, 101, 105, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 48, 51, 53, 54, 59, 60, 61, 62, 63, 64, 65, 67, 71, 76, 84, 85, 86, 87, 93, 100, 101, 105, 107 and 109
Power to keep a list of persons who are appropriately qualified to be an assessment manager in relation to a particular type of development.	Section 48(3)(b)
Power to enter an agreement with a person on Council's list of persons who are appropriately qualified to be an assessment manager in relation to a particular type of development.	Section 48(3)(d)
Power, as the owner of premises, to give written consent to the making of the development application.	Section 51(2)
Power to act as a "referral agency" for all development applications and cancellation applications received by Council as a referral agency under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a referral agency and consider all matters as detailed in sections 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109
Power to consult with the Minister about making or amending the instrument mentioned in subsection (8)(c).	Section 64(9)
Power to act as a "responsible entity" for all change applications received by Council as a responsible entity under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a responsible entity and consider all matters as detailed in sections 78A, 79, 80, 81, 81A, 81B, 82, 83, 93, 100, 105, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 78A, 79, 80, 81, 81A, 81B, 82, 83, 93 and 100, 105, 107 and 109
Power to act as an "affected entity" for all change applications received by Council as an affected entity under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of an affected entity and consider all matters as detailed in section 80 of the <i>Planning Act 2016</i> .	Section 80

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to act as an “additional referral agency” for a change application where section 82A applies. For the avoidance of doubt, the power delegated includes the power to take all actions of an additional referral agency and consider all matters as detailed in section 82A of the <i>Planning Act 2016</i> .	Section 82A
Power, as the owner of land, to give written consent to the cancellation application.	Section 84(3)(b)(i)
Power, as a public utility, to give written consent to the cancellation application.	Section 84(3)(b)(iii)
Power, as the owner of land, to give written consent to the extension application.	Section 86(2)(b)(ii)
Power to note an approval referred to in subsection (1) on Council’s planning scheme and give notice of the approval to the chief executive.	Section 89
Power to comply with a direction given by the Minister.	Section 93(2)
Power to make submissions in response to a proposed call in notice received by Council.	Section 102
Power, as the decision-maker, to give the Minister reasonable help.	Section 105(3)
Power, as a participating local government for a distributor-retailer, to enter a break-up agreement about the charges break-up and publish a copy of the agreement on the local government’s website.	Section 115
Power to carry out the steps required after making a charges resolution.	Section 118
Power to give an infrastructure charges notice. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 119, 120, 121 and 129.	Sections 119, 120, 121 and 129
Power, as a local government that gave an infrastructure charges notice, to agree with the recipient about:- <ul style="list-style-type: none"> a) whether the levied charge may be paid other than as required under section 122, including whether it may be paid by instalments; and/or b) whether infrastructure may be provided instead of paying all or part of the levied charge. 	Section 123
Power, as a local government, to consider representations made on an infrastructure charges notice and, issue a negotiated notice or give a decision notice.	Section 125
Power, as a local government with a LGIP that identifies adequate trunk infrastructure to service the subject premises, to impose a development condition requiring either or both of the following to be provided at a stated time: <ul style="list-style-type: none"> a) the identified infrastructure; and/or b) different trunk infrastructure delivering the same desired standard of service. 	Section 128(1)
Power, as a local government with a LGIP that does not identify adequate trunk infrastructure to service the subject premises, to impose a development condition requiring development infrastructure necessary to service the premises to be provided at a stated time.	Section 128(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a local government, to impose an extra payment condition. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 130, 131, 132, 133, 134 and 135.	Sections 130, 131, 132, 133, 134 and 135
Power in the circumstances referred to in subsection (1) to, by notice given to the applicant, amend the infrastructure charges notice.	Section 137
Power, as a local government, to consider and decide a conversion application. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 140, 141 and 142	Sections 140, 141 and 142
Power, as a local government, to agree with an applicant that a levied charge, for the purpose of its recovery, is not taken to be rates.	Section 144(2)
Power, as a local government, to impose a development condition about non-trunk infrastructure.	Section 145
Power, as a local government, to enter an infrastructure agreement. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in Chapter 4, Part 4.	Chapter 4, Part 4
Power, as an enforcement authority, to give a show cause notice.	Section 167
Power, as an enforcement authority, to give an enforcement notice.	Section 168
Power to consult with a private certifier before giving an enforcement notice.	Section 169
Power to give notice of the giving or withdrawal of an enforcement notice to the chief executive.	Section 170
Power to bring offence proceedings for an offence against the Act.	Section 174
Power to consent to proceedings being brought on behalf of the corporation.	Section 175(1)(a)
Power, as an enforcement authority, to:- (a) take the action required under the enforcement order; and (b) recover the reasonable cost of taking the action as a debt to the authority from the defendant.	Section 176(10)
Power, as an enforcement authority in an offence proceeding, to apply for an order for the payment of the expenses.	Section 178(1)(b)
Power to the start proceedings in the P&E Court for an enforcement order.	Section 180
Power, as an enforcement authority, to:- (a) take the action required under the enforcement order; and (b) recover the reasonable cost of taking the action as a debt to the authority from the respondent.	Section 180(13)
Power to apply to the P&E Court to cancel or change an enforcement order or interim enforcement order.	Section 181(4)
Power, as an enforcement authority in an offence proceeding, to apply for a disposal order.	Section 214

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make a claim for compensation from the State where Council incurs loss because of the exercise, or purported exercise, of a power by or for an inspector.	Section 221
Power as an appellant to start an appeal.	Sections 229(2) and 230
Power as a respondent or co-respondent to be heard in an appeal.	Section 229(4)
Power, where an appeal is only about a referral agency's response, to apply to the tribunal or P&E Court to withdraw from the appeal.	Section 229(5)
Power to elect to be a co-respondent in an appeal.	Section 230(6)
Power to start proceedings for a declaration by a tribunal. For avoidance of doubt, the power delegated includes the power to take all actions detailed in sections 239(1), 240 and 241.	Sections 239(1), 240 and 241,
Power to give the registrar information that the registrar reasonably requires for the proceedings.	Section 246(2)
Power to appear as a party to a tribunal proceeding.	Section 248
Power to make submissions to the tribunal.	Section 249
Power to give notice to the Registrar once a tribunal's direction or order has been complied with.	Section 257
Power to give an applicant the planning and development certificate applied for.	Section 265
Power to note the registration of premises on Council's planning scheme.	Section 267(13)
Power, as an owner of premises in an affected area, before entering into a lease of the premises with a person, to give a notice that states :- (a) the premises are in an affected area; and (b) that restrictions may apply to the person in taking proceedings about emissions from registered premises in the affected area.	Section 270
Power to serve a document and give a copy of the document as permitted by section 275B.	Section 275B
Power to make an amendment of a type specified in subsection (1) by following the process set out in the rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in the rules. <i>This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.</i>	Section 293(5)

2. To exercise the Council's powers pursuant to the *Planning Regulation 2017*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to extend the period mentioned in subparagraph (a).	Section 12(b)
Power, as an assessment manager, to make the requested decision.	Schedule 11, Section 10(1)
Power, as an assessment manager, to give notice of the decision.	Schedule 11, Section 10(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an assessment manager, to give notice of the decision, including the reasons for the decision.	Schedule 11 , Section 10(3)
Power, where the request complies with the criteria stated in section 2, to approve the request.	Schedule 18, Section 3(1)
Power to give notice of the approval to the person making the request.	Schedule 18, Section 3(2)
Power to keep the documents listed in subsection (1) available for inspection and purchase.	Schedule 22, Section 1
Power to keep the documents listed in subsection (1) available for inspection only.	Schedule 22, Section 2
Power to publish the documents listed in subsections (1) and (4) on Council's website.	Schedule 22, Section 3
Power, in the circumstances prescribed in Schedule 22, Section 3A, to publish the documents listed in subsections (2), (4) and (5) on Council's website.	Schedule 22, Section 3A
Power, in the circumstance prescribed in Schedule 22, Section 3B(1), to keep available for inspection and purchase a document that includes the trunk infrastructure information the local government publishes on its website from time to time under section 3A(4) or (5).	Schedule 22, Section 3B
Power, as an assessment manager, to keep the documents listed in subsections (1) and (2) available for inspection and purchase.	Schedule 22, Section 5
Power, as an assessment manager, to keep the documents listed in subsection (1) available for inspection only.	Schedule 22, Section 6
Power, as an assessment manager, to publish the documents listed in subsections (1) and (4) on Council's website.	Schedule 22, Section 7
Power, as a referral agency, to keep the documents listed in subsections (a) to (d) available for inspection and purchase.	Schedule 22, Section 8
Power, as a referral agency, to keep a register for all development applications and change applications given to the referral agency under section 54 of the Act and to make it available for inspection only.	Schedule 22, Section 9
Power, as a referral agency, to publish the documents listed in subsections (a) to (d) on Council's website.	Schedule 22, Section 10

3. To exercise the Council's powers pursuant to the Development Assessment Rules.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an assessment manager, to determine if the application is a properly made application.	Section 1.2
Power, as an assessment manager, to give a confirmation notice.	Section 2.3
Power, as an assessment manager, to give an action notice.	Section 3.1
Power, as an assessment manager, to agree to a further period for the applicant to comply with all actions in the action notice and give notice to the assessment manager that it has complied.	Section 3.2

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an assessment manager, to give a confirmation notice if the applicant has complied with the action notice.	Section 3.4
Power, as an assessment manager, to accept the application as a properly made application after giving an action notice.	Section 3.5
Power, as an assessment manager, to agree on a further period for giving a confirmation notice.	Section 3.6(b)
Power, as an assessment manager, to agree to a further period for the applicant to give a copy of the application to a referral agency.	Section 5.1
Power, as a referral agency, to determine if the application is a properly referred application.	Section 6.2
Power, as a referral agency, to give a referral confirmation notice.	Section 7.1
Power, as a referral agency, to give the applicant an action notice	Section 8.1(a)
Power, as a referral agency, to give a copy of the action notice to the assessment manager.	Section 8.1(b)
Power, as a referral agency, to agree to a further period for the applicant to comply with all the actions in the action notice.	Section 8.2
Power, as a referral agency, where the applicant has complied with all the actions in the action notice, to give a referral confirmation notice to the applicant and a copy to the assessment manager.	Section 8.2(b)
Power, as a referral agency, to give the assessment manager notice that the application is taken to have not been referred.	Section 8.3(b)
Power, as a referral agency, to agree to a further period for the referral agency assessment period.	Sections 9.2(a) and (b)
Power, as an assessing authority, to agree to receive further information from the applicant during the development assessment process.	Section 11.2
Power, as an assessing authority, to make an information request.	Section 12.1
Power, as an assessment manager, to agree to a further period in which to make the information request.	Section 12.2
Power, as a referral agency, to agree to a further period in which to make the information request.	Section 12.4
Power, as an assessing authority, to give the applicant advice about an information request or any other matter, including how the applicant may change the application.	Section 12.5
Power, as an assessing authority, to agree to a further period for the applicant to respond to the information request.	Section 13.1
Power, as an assessment manager acting under section 53(10) of the Act to comply with the public notice requirements.	Sections 17.1, 17.3 and 17.4

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an assessment manager, to agree to a further period for the applicant to give notice of compliance with the public notice requirements.	Section 18.1
Power, as an assessment manager, to accept properly made submissions and not properly made submissions.	Section 19.1
Power, as an assessment manager, to agree to a further period to consider the submissions.	Section 19.3
Power, as the assessment manager, to agree to a further period to assess and decide the application.	Section 22.1(a)
Power, as the assessment manager, to:- (a) give a copy of the notice to each referral agency for the original application and any other referral agency required to be given referral; and (b) advise each referral agency, with a copy to the applicant, of the effect of the change on the development assessment process.	Section 25.1
Power, as the assessment manager, to determine whether the change:- (a) only deals with a matter raised in a properly made submission for the application; or (b) is in response to an information request for the application; or (c) is in response to further advice provided by an assessing authority about the application.	Section 26.1
Power, as the assessment manager, to give the applicant a confirmation notice where part 4 applies to the changed application and part 4 did not apply to the original application.	Section 26.2(a)(i)
Power, as the assessment manager, to determine whether the change:- (a) would be likely to attract a submission objecting to the thing comprising the change if public notification were to apply to the change; (b) only addresses a matter raised in a properly made submission.	Section 26.2(b)
Power, as the assessment manager, to give notice to the applicant that public notification is required under section 26.2(b) and that it must be carried out in accordance with section 16.4.	Section 26.2(c)
Power, as a referral agency, despite section 11.1, to make an information request as a result of a referral under section 26.	Section 26.5
Power, as an assessing authority, despite section 11.1, to make an information request about the change.	Section 27.2
Power, as the assessment manager, to determine whether the change would be likely to attract a submission objecting to the thing comprising the change, if public notification were to apply to the change.	Section 27.3
Power, as a concurrence agency, after the referral agency assessment period and any further periods has ended, to change its referral agency response or give a late referral agency response before the application is decided.	Section 28.1

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a concurrence agency, to give notice of its intention to change its referral agency response to the assessment manager and the applicant.	Section 28.4(a)
Power, as a concurrence agency, to agree to a further period for the giving of an amended referral agency response.	Section 28.4(b)
Power, as a party to the application, to give notice to each other party that the applicant has not referred the application in accordance with section 54(1) of the Act.	Section 29.2
Power, as a referral agency, despite section 11.1, to make an information request as a result of a referral under section 29.	Section 29.6
Power, as a party who initiated an extension under the DA rules, to give a copy of the agreement to any other party to the application.	Section 33.1
Power, as an assessment manager or as a concurrence agency for the application, to ask any third party for third party advice.	Section 34.1
Power, as an assessment manager or as a concurrence agency for the application, to give further advice about the application to the applicant, including how the applicant may change the application.	Sections 35.1 and 35.2
Power, as an assessment manager, to give a notice to the applicant extending the decision period until a day no later than 10 days after the end of the caretaker period.	Section 38.2

Conditions of the Delegation:

1. The Delegated Officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. The Delegated Officer may exercise the powers of the Council under the Planning Act 20016 for an application other than the following:
 - a) an application for a variation request mentioned in section 61 of the Planning Act 2016 to vary the effect of the planning scheme;
 - b) the approval of an application where there is substantial non-compliance with a stated policy of the Council or a high order provision of the Planning Scheme being a desired environmental outcome, or an overall outcome of a code;
 - c) the refusal of any application where Council is the assessment manager;
 - d) requests for change representations, and change applications to change or delete conditions that were imposed by Council at an Ordinary Meeting or a Special Meeting;
 - e) and an application for a proposed development of significant community interest.

However, the delegated officer may exercise the powers of the local government under the Planning Act 2016 for an application where the application has the potential for 'deemed approval' in accordance with section 64 of the Act.

A councillor may request an application to be determined at a Council meeting. The request shall be made to Chief Executive Officer, with the request to be made before the decision stage commences.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: PLANNING AND ENVIRONMENT COURT	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 - Section 257</i> <i>Planning and Environment Court Act 2016</i>	

Delegated Power:

- To exercise the powers of Council pursuant to the *Planning and Environment Court Act 2016*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to start a declaratory proceeding.	Section 11(1)
Power, as the assessment manager, to start a declaratory proceeding for a matter done, to be done or that should have been done in relation to the call in.	Section 12(2)
Power, as a party to a P&E Court proceeding, to participate in an ADR process.	Section 16
Power, as a party, to confer with the ADR registrar about the way to conduct the P&E Court proceeding.	Section 16(3)
Power, as a party to a P&E Court proceeding, to agree to the resolution of all or part of the dispute in an ADR process.	Section 18(1)
Power, as a party to a P&E Court proceeding who has agreed on resolution of the dispute, to sign the resolution agreement.	Section 18(1)
Power, as a party to a P&E Court proceeding, to apply to the P&E Court for an order giving effect to an agreement reached as a result of an ADR process.	Section 20(1)
Power, as a party to a P&E Court proceeding, to agree to the ADR registrar or mediator disclosing information acquired as part of the ADR process.	Section 21(2)(a)
Power, as a party to a P&E Court proceeding for which the ADR registrar is exercising, or has exercised, a power, to apply for a court review.	Section 26(2)
Power, as a party to a P&E Court proceeding, to consent in writing to the ADR registrar making an order or direction in the proceeding.	Section 27(1)(a)
Power to consent to a person starting a declaratory proceeding or a proceeding for an enforcement order under the Planning Act on behalf of Council.	Section 41(2)(a)
Power to pay the expenses, including legal costs, incurred by the representative in relation to the proceeding.	Section 41(3)
Power, as a party to a P&E Court proceeding, to appeal a decision in the proceeding.	Section 63(1)

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power to apply to the Court of Appeal for leave to appeal.	Section 64(1)
Power to file and serve a Notice of Appeal following the granting of leave by the Court of Appeal.	Section 64(2)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: PLUMBING AND DRAINAGE

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:
Local Government Act 2009 – Section 257

Plumbing and Drainage Act 2018
Plumbing and Drainage Regulation 2018

Delegated Power:

1. To exercise the powers of the council pursuant to the *Plumbing and Drainage Act 2018*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to approve a maximum temperature for a substance to be a prohibited substance for section 75.	Section 75(4)(e)
Power to approve the disposal of the contents of a greywater treatment plant into the sewerage system for the area in which the plant is located.	Section 77
Power, where an explanatory statement given under section 83 states that Council may contact an occupier to arrange inspection of the work, to contact the occupier.	Section 83(7)(c)
Power to start a prosecution for an offence against the Act.	Section 90
Power, generally, to administer the Act within Council's local government area.	Section 135
Power to administer the Act those areas not under Council's control that it has been requested to administer by the entity that has control of the area.	Section 135(4)
Power to monitor greywater use facilities in Council's local government area.	Section 136
Power to monitor an on-site sewerage facility in Council's local government area.	Section 137
Power to appoint an authorised person as an inspector under this Act, with or without conditions.	Section 139(1)
Power to notify the QBCC commissioner of the appointment of an inspector and give the commissioner a list of Council's inspectors.	Section 142
Power to give an enforcement notice to a person who carried out plumbing or drainage work requiring the person to take stated action.	Section 143(1)
Power to give an enforcement notice to an owner of premises requiring the owner to take stated action.	Section 143(3)
Power to give a show cause notice to a person who Council proposes to give an enforcement notice.	Section 144(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to form the reasonable belief that the plumbing or drainage is a danger to persons or a risk to public health.	Section 144(2)
Power to receive written submissions from a person given a show cause notice.	Section 144(3)(b)
Power to form the reasonable belief that it is not possible or practical to take steps stated in section 145(2).	Section 145(2)
Power to consider written submissions from a person given a show cause notice.	Section 146(2)(b)
Power to give an action notice if provided for in a regulation.	Section 150
Power to recover costs from the owner of premises for costs incurred in carrying out plumbing or drainage work on the premises if provided for in a regulation.	Section 157(2)(m)
Power to keep a register if provided for in a regulation.	Section 157(2)(n)

2. To exercise the powers of the Council pursuant to the *Plumbing and Drainage Regulation 2018*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to apply to the chief executive for a treatment plant approval.	Section 16(1)
Power to apply to the chief executive to amend a treatment plant approval.	Section 16(2)
Power to give the chief executive the information asked for under subsection (2).	Section 17(3)
Power, as the new holder, to give the chief executive notice of the transfer in the approved form.	Section 24(2)
Power to comply with a notice issued by the chief executive under subsection (1)	Section 26(2)
Power, as the owner of premises, to consent to the entry of the premises to carry out the inspection of the treatment plant.	Section 27(c)
Power, as the holder of a treatment plant approval, to make written representations about the show cause notice to the chief executive.	Section 29(1)
Power, as the holder of an existing treatment plant approval, to apply to the chief executive to renew the approval.	Section 34(1)
Power, where Council makes a fast-track work declaration or fast-track opt-out declaration, to:- (a) publish the declaration on Council's website; (b) give a copy of the declaration to the chief executive; (c) if Council is a participating local government for a distributor retailer – give a copy of the declaration to the distributor retailer; (d) ensure a copy of the declaration may be inspected, free of charge, at Council's public office.	Section 41
Power, in a circumstance listed in subsection (1), to give the applicant an information request.	Section 45(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to consider each properly made application and decide to:- (a) approve the application with or without conditions; or (b) refuse the application.	Section 46
Power, where Council decides to approve an application, to:- (a) issue a permit, or an amended permit, to the applicant; and (b) give a copy of the permit, or amended permit, to each entity listed in subsection (b).	Section 48
Power, in a circumstance listed in subsection (1), to give an information notice about the decision.	Section 50(2)
Power to give written consent for an application relating to SEQ water work.	Section 53(e)(i)
Power to give written consent for an application relating to SEQ sewerage work.	Section 53(f)(i)
Power, where Council has issued a permit and has not given a final inspection certificate for the work carried out under the permit at least 3 months before the permit is to end, to give notice of the day the permit is to end to the entities listed in subsection (3).	Section 59(3)
Power in the circumstances listed in the subsection (1), to allow the responsible person to give a covered work declaration for the work.	Section 67(2)
Power to inspect the work if the public sector entity asks Council to inspect the work under subsection (2).	Section 68(3)
Power to, instead of inspecting on-site sewage work, allow an appropriate person to give Council an on-site sewage work declaration.	Section 69(2)
Power, where Council has passed a resolution under subsection (1), to:- (a) publish each declaration on its website; (b) give the chief executive a copy of the declaration; (c) ensure the declaration may be inspected, free of charge, at the local government's public office; and (d) ensure each remote area declaration includes a map identifying the remote area.	Section 71(2)
Power, in the circumstances identified in subsection (1), to decide to:- (a) accept the remote area compliance notice; or (b) otherwise, refuse to accept the notice.	Section 73(2)
Power, in the circumstances identified in subsection (1) and where Council has made a decision under subsection (2), to give the responsible person a decision notice.	Section 73(3)
Power, in the circumstances identified in subsection (1) and where Council has refused to accept the remote area compliance notice, to ensure the decision notice includes, or is accompanied by, an information notice.	Section 73(4)
Power, where Council is taken to have decided to refuse to accept the remote area compliance notice, to give an information notice about the decision.	Section 73(6)
Power, in the circumstances identified in subsection (1), to amend the approved plan so that it correctly represents the work carried out under the permit.	Section 75(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to give an inspection certificate for the work to the responsible person for the work.	Section 83(1)
Power to give a final inspection certificate for the work to the responsible person for the work.	Section 84(1)
Power to give a copy of the final inspection certificate to the entities listed in subsection (1).	Section 86(1)
Power, where Council receives a notice under subsection (2), to comply with the notice.	Section 86(3)
Power, where Council is taken under subsection (2) to have decided to refuse to give an inspection certificate or final inspection certified, to give an information notice about the decision.	Section 87(3)
Power, where Council considers that a responsible person has not complied with the action notice, to give a copy of the notice to the owner of the premises.	Section 98(3)
Power to establish a program for:- (a) registering each testable backflow prevention device installed at premises in Council's area; (b) monitor the maintenance and testing of each device.	Section 101
Power, in the circumstances listed in subsection (1), to:- (a) remove the obstruction or fix the damage; and (b) fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and (c) recover as a debt from each owner, the owner's share of the cost.	Section 107(2)
Power, in the circumstances listed in subsection (1), to require by notice to the owner of the old building and the owner of the new building:- (a) the owner of the old building to change the affected vents; and (b) the owner of the new building to pay the owner of the old building the reasonable cost of changing the affected vents.	Section 108(2)
Power to keep a register containing each document listed in subsection (1).	Section 112
Power to keep a register containing each notice given to Council under section 102(2) or 103(3).	Section 113
Power to keep a register containing each service report for a greywater use facility or on-site sewage facility given to Council under section 106.	Section 114
Power to keep a register containing a copy of each show cause notice and enforcement notice given by Council.	Section 115(1)
Power to remove a notice mentioned in subsection (1) from the register if the premises to which the notice relates are demolished or removed.	Section 115(2)
Power, in relation to each register kept under part 8, division 2, to allow a person to:- (a) inspect the register, free of charge, at Council's public office; or (b) buy a copy of an entry in the register for not more than the reasonable cost of producing the copy.	Section 116

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for a Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: PUBLIC HEALTH

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:
Local Government Act 2009 - Section 257
Public Health Act 2005
Public Health Regulation 2005

Delegated Power:

1. To exercise powers of the Council pursuant to the *Public Health Act 2005*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to administer and enforce the Act regarding local government public health risks and a regulation made under section 61 stating that the regulation is to be administered and enforced by local governments only.	Section 13
Power, as an issuing authority, to apply to a magistrate for an order enforcing a public health order (an enforcement order).	Section 24(2)
Power, as an issuing authority, to enter a place to take steps to remove or reduce the risk to public health from the public health risk or prevent the risk to public health from recurring, if ordered by a magistrate.	Section 27(2)(b)
Power, as an issuing authority, to recover the amount, plus interest, a person has been ordered to pay under an enforcement order as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 31
Power to lodge a request to register with the registrar of titles, in the appropriate form over the land, an unpaid amount, including interest, that is payable to Council under an enforcement order relating to a public health risk on land owned by a person as a charge on the land.	Section 32
Power to consult with the chief executive before the chief executive authorises a prevention and control program which relates to Council's local government area.	Section 36(5)
Power, as a water service provider ¹ , to inform the authorised person that Council believes that it has complied with an improvement notice issued under this division.	Section 57B
Power to enter into an agreement with the chief executive for the disclosure of confidential information.	Sections 84(1)(b)(i) and (2)(a), 226(1)(b)(i) and (2)(a), 244(1)(b)(i) and (2)(a), and 269(1)(b)(i) and (2)(a)

¹ Excludes SE Qld Councils

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an issuing authority, to enter the place, at reasonable times, to take the steps stated in a public health order where the person has failed to comply the order.	Section 388(2)
Power, as an issuing authority, to give the occupier and owner of a place a notice required under the section, where an authorised person intends to enter the place to take steps required under a public health order.	Section 393(2)
Power, as an issuing authority, to recover the amount payable, including interest, of the reasonable costs and expenses incurred by Council in exercising powers under section 388 or 405 as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 406
Power, as an issuing authority, to lodge with the registrar of titles, in the appropriate form over the land, a request to register an unpaid amount, including interest, that is payable to Council for steps taken by it on land owned by a person as a charge on the land.	Section 407
Power, as an owner of a thing seized by an authorised person, to inspect the thing and, if it is a document, to copy it.	Section 415
Power to apply to the court for an order against a person convicted of an offence against the Act for the payment of the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 443(1)(b)
Power to deal with a thing forfeited as Council considers appropriate, including destroying the thing.	Section 446
Power, as an owner of a thing forfeited to a relevant entity under section 413(1), to appeal against a decision resulting in the forfeiture of the thing.	Section 450
Power to recover contribution from a prescribed person.	Section 454B(3)
Power to comply with the indemnity conditions in relation to each asbestos-related event to which the official conduct relates.	Section 454C(2)
Power to give notice of the proceeding to the State.	Section 454CA(2)
Power to ensure each authorised person who exercises powers under the Act in relation to an asbestos-related event has satisfactorily completed the training prescribed by regulation.	Section 454G
Power to keep the records prescribed in subsections 454I(1), (2) for each asbestos-related event.	Section 454I

2. To exercise powers of the Council pursuant to the *Public Health Regulations 2005*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to administer and enforce Part 2, Divisions 1, 2 and 3.	Sections 6, 16, and 22
Power to approve a site for the disposal of asbestos waste.	Section 12(2)(c)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

**TITLE: PUBLIC HEALTH
(INFECTION CONTROL FOR PERSONAL APPEARANCE
SERVICES)**

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257

Public Health (Infection Control for Personal Appearance Services) Act 2003

Delegated Power:

- To exercise powers of the Council pursuant to the *Public Health (Infection Control for Personal Appearance Services) Act 2003*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to have regard to the matters listed in this section in deciding whether a person is a suitable person to hold a licence.	Section 35
Power to have regard to all the matters listed in this section in deciding whether the premises at which higher risk personal appearance services are to be provided are suitable for providing the services.	Section 36
Power to make inquiries before making a decision regarding sections 35 and 36 and, by giving notice to the applicant, require the applicant to give Council, within the reasonable time of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide the application.	Section 37
Power to impose conditions on a licence.	Sections 38(2) and 41(1)(c)
Power to decide the earlier ending date of a licence.	Section 40
Power to consider all applications for renewals of licences, and determine whether to grant or refuse the application for renewal.	Section 44
Power to give a notice to a licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide a licence renewal application.	Section 45
Power to consider all applications for amendments to licences, and determine whether to grant or refuse the application to amend the licence.	Section 47
Power to give a notice to the licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide an licence amendment application.	Section 48

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to determine whether to grant or refuse the application to transfer the licence by having regard to whether the transferee is a suitable person to hold a licence and whether the premises are suitable for providing higher risk personal appearance services.	Section 49
Power to give a notice to the licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide a licence transfer application.	Section 50
Power to, for forming a belief that the ground for suspending or cancelling a licence mentioned in subsection (1)(a) exists, have regard to the matters to which Council may have regard in deciding whether a proposed licensee is a suitable person to hold the licence	Section 51(2)
Power to issue a 'show cause notice'.	Section 52
Power to determine whether grounds continue to exist for the suspension or cancellation of a licence after issuing the licensee with a 'show cause' notice, and if so, determine whether to suspend or cancel the licence.	Sections 54 and 55
Power to suspend a licence immediately if Council believes— (a) a ground exists to suspend or cancel the licence; and (b) it is necessary to suspend the licence immediately because there is an immediate and serious risk of infection to the licensee's clients.	Section 56
Power to consider all applications for a replacement licence, and determine whether to grant or refuse the application for the replacement licence.	Section 62
Power to make an agreement with a licensee intending to provide higher risk personal appearance services from mobile premises to allow a lesser period for notification to Council of the licensee's intentions.	Section 65(3)
Power to, where Council is the second local government for a licence under the Act, notify the first local government where it is reasonable to believe that a mobile licensee or operator has contravened their licence.	Section 68
Power to, where Council is the first local government and has been notified by a second local government of their reasonable belief that a mobile license holder or operator has breached their licence conditions, take action under the Act.	Section 69
Power to appoint authorised persons.	Section 70
Power to apply conditions to an authorised person's powers under the Act by giving the person a signed notice.	Section 72
Power to issue an identity card to an authorised person.	Section 74
Power to monitor compliance with the Act by having authorised persons inspect places of business in Council's areas and recover monitoring costs from business proprietors.	Section 105
Power to charge a business proprietor an inspection fee to check if the remedial notice given by an authorised person acting for Council to the proprietor has been complied with.	Section 110
Power to prosecute a business proprietor or operator for the contravention of a relevant provision for which a remedial notice has been issued without an authorised person first issuing a remedial notice for the contravention.	Section 111(7)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to, at any time, extend the time for applying for a review of Council's original decision relating to a licence application.	Section 121(2)
Power to, upon request, review an original decision and make a determination according to section 122 of the Act.	Part 7, Division 1
Power to, following the conviction of a person of an offence against this Act, apply to the court for an order against the person for the payment of the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 137
Power to deal with a thing forfeited to Council, including destroying the thing.	Section 140
Power to commence proceedings against a person who has committed an offence against the Act.	Section 143
Power to approve forms to be used in the administration and enforcement of the Act.	Section 147
Power to, with regard to an application for registration of premises made under part 15 of the former regulation, assess the suitability of the application and the premises under this Act, and make inquiries and require further information or a document under section 37 of the Act.	Section 153
Power to, with regard to an application for renewal of registration of premises made under part 15 of the former regulation, assess the suitability of the applicant and the premises under this Act, and make inquiries and require further information or a document under section 45 of the Act.	Section 154
Power to, with regard to an application for registration or renewal of registration of 2 or more premises to which sections 153(2) and 154(2) apply, issue a single licence to cover all the premises.	Section 155

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: PUBLIC INTEREST DISCLOSURES

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 - Section 257
Public Interest Disclosure Act 2010

Delegated Power:

1. To exercise the powers of Council pursuant to the *Public Interest Disclosure Act 2010*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to: (a) decide not to investigate or deal with a public interest disclosure in certain circumstances; and (b) give written reasons for a decision not to investigate.	Section 30(1) and (2)
Power to refer a disclosure to another public sector entity in certain circumstances.	Section 31(1) and (2)
Power to give a person making a disclosure, or an entity referring a disclosure, reasonable information about the disclosure.	Section 32(1) and (2)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for any Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: PUBLIC RECORDS

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 - Section 257

Public Records Act 2002

Delegated Power:

1. To exercise the powers of Council pursuant to the *Public Records Act 2002*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make and keep records of Council's activities.	Section 7(1)(a)
Power to have regard to any relevant policy, standards and guidelines made by the archivist about the making and keeping of public records.	Section 7(1)(b)
Power to ensure the safe custody and preservation of Council's records.	Section 8(1)
Power to give written notice to the State archivist of the existence of a public record in Council's possession which is more than 25 years old.	Section 10(1)(a)
Power to give a public record in Council's possession, which is more than 25 years old, to the State archivist.	Section 10(1)(b)
Power to give a public record in Council's possession, which is 25 years old or less, to the State archivist.	Section 11(2)
Power to take action to ensure that a public record remains able to be produced or made available.	Section 14(2)
Power to give written notice to the State archivist of a restricted access period for a public record.	Section 16
Power as a responsible public authority to give the State archivist a written notice stating— (a) the public authority has classified a record which has a restricted access period as a record to which unrestricted access is allowed; or (b) access to a record which has a restricted access period may be given on conditions stated in the notice.	Section 18(2)(b)
Power as a responsible public authority to give the State archivist written notice of a change to the restricted access notice for a record.	Section 19(2)
Power as a responsible public authority to refer a dispute about a restricted access notice for a public record to the committee.	Section 19(4)
Power to apply to the State archivist for, or consent to, an authorisation for the disposal of particular public records or classes of public records.	Section 26(1)
Power to make an arrangement with the State archivist for the storage of public records.	Section 28

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power as a public authority to make a written application to the committee for a review of a decision by made by the archivist refusing to authorise the disposal of particular public records or classes of public records.	Section 39(1)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: QUEENSLAND HERITAGE	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 - Section 257</i> <i>Queensland Heritage Act 1992</i>	

Delegated Power:

1. To exercise the powers of Council pursuant to the *Queensland Heritage Act 1992*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to apply to the Chief Executive to have a place entered or removed from the Queensland Heritage Register including all powers authorised or required by Part 4 of the Act for the purpose of making the application and having the place entered in or removed from the Register.	Sections 36, 36A, 43, 46, 48
Power to make a heritage submission (including power to agree to a later day for making the submission).	Sections 41 and 42
Power to make written representations to the chief executive about the place the subject of an application under Part 4 of the Act.	Section 43
Power to make oral representations to the Heritage Council about the recommendation.	Section 46(2)(a)
Power, as the owner, to make a written response to the Heritage Council about the recommendation.	Section 46(2)(b)
Power, as the owner, to consult with the chief executive about a proposed destroyed place recommendation.	Section 46A(1)(c)
Power to make written representations to the Heritage Council about the place the subject of an application under Part 4 of the Act.	Section 48
Power to request and make oral representations to the Heritage Council about the recommendation.	Sections 49 and 50
Power, as the owner, to give the Heritage Council a heritage response to the heritage recommendation.	Section 50A
Power, as the owner, to agree in writing with the Heritage Council on a later day by which the heritage response must be given.	Section 50B(3)
Power, as the owner of a place the subject of a heritage recommendation to agree to extend the day for making the decision.	Section 52

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the owner of a place, to apply to the chief executive to have the place excluded from entry into the Queensland heritage register as a State heritage place including all powers authorised or required by Part 4 of the Act for the purpose of making the application and having the place excluded.	Section 56B
Power, as the owner of a place referred to in subsection (1), to give notice to the chief executive before a prescribed application is made for the place.	Section 58
Power, as the owner of a place in the circumstances referred to in subsections (1) or (3), to advise the chief executive of a development approval and within the relevant period advise the chief executive of the relevant application.	Section 59
Power to make a submission about development the State proposes to carry out on a Queensland heritage place.	Section 71
Power, as a relevant person for a Queensland heritage place, to apply to the chief executive for an exemption certificate to carry out development mentioned in subsection (3) on the place including all powers authorised or required by Part 6, Division 2 to obtain the exemption.	Sections 72 and 73
Power to enter into a heritage agreement for a Queensland heritage place and to agree to the changing or ending of a heritage agreement.	Section 80
Power, as owner, to consent to the entering of a heritage agreement for a Queensland heritage place and to agree to the changing or ending of a heritage agreement.	Sections 80(1)(b) and 80(2)(b)
Power, as a party to a heritage agreement, to apply to the Planning and Environment Court for the orders required to secure compliance with the agreement.	Section 82
Power, as the owner of a Queensland heritage place, to comply with a repair and maintenance notice.	Section 84(6)
Power to give the chief executive notice of the discovery of an archaeological artefact or underwater cultural heritage artefact.	Section 89
Power to apply to the chief executive for compensation for a loss suffered because of the exercise of a power under section 92 including all powers authorised or required by Part 9, Division 2 to obtain compensation.	Sections 94 and 95
Power to apply to QCAT for an external review of a compensation decision.	Section 98
Power to apply to the chief executive for a permit to enter a protected area including all powers authorised or required by Part 10, Division 1 to obtain the permit.	Sections 105 and 106
Power to respond to a show cause notice in relation to a proposal to cancel a permit to enter a protected area.	Section 110
Power to appeal to the Planning & Environment Court in relation to those matters listed in subsection (1).	Section 111

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power as a local government to keep a local heritage register for its area including all powers authorised or required by Part 11, Divisions 1, 1A, 2, 3 and 5, other than section 119, to keep the register. ##Please note that section 112B and Part 11 divisions 2 to 5 do not apply to those local governments identified in section 199##.	Sections 112, 112B, 113, 114, 116, 117, 118, 120, 122
Power, as a person identified in subsection (1), to appeal to the Planning & Environment Court against the decision.	Section 161
Power, as a local government, to provide any information or assistance that the Minister or chief executive reasonably requires for the purposes of the Act.	Section 165

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: RIGHT TO INFORMATION

Part 1 - Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257
Right to Information Act 2009

Delegated Power:

1. To exercise the powers of Council pursuant to the *Right to Information Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to disclose information under a publication scheme, without limiting another way Council may disclose information.	Section 22
Power to give access to a document created after the application is received but before notice is given under section 54.	Section 27(2)
Power to search for a document from a backup system if Council considers the search appropriate.	Section 29(2)
Power, as an agency, to participate in an external review.	Section 89(1)
Power to apply to the information commissioner to participate in an external review if Council is affected by the decision the subject of the external review.	Section 89(2)
Power to apply to the information commissioner to allow Council further time to deal with the access application which has become the subject of an application for an external review concerning a deemed decision in relation to an access application.	Section 93(1)
Power to comply with a reasonable request from the Commissioner for further assistance with an external review.	Section 96(1)
Power to make oral or written submissions to the Commissioner in an external review.	Section 97(2)(b)
Power to seek the approval of the Commissioner for Council to be represented by another person in an external review and to appoint the representative.	Section 97(3)
Power to respond to a preliminary inquiry from the Commissioner.	Section 98
Power to give the applicant for external review and the commissioner an additional statement containing further and better particulars of the reasons for the decision.	Section 99(1)
Power to give the commissioner full and free access at all reasonable times to the documents of the agency or Minister concerned, including documents protected by legal professional privilege.	Section 100
Power to give the commissioner a written transcript of the words recorded or contained in a document and a written document created using equipment that is usually available to Council for retrieving or collating stored information.	Sections 101(2) and (3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to conduct a particular further search, or further searches, for a document when required to by the commissioner.	Section 102
Power to comply with a notice issued by the commissioner pursuant to this section.	Section 103
Power, as a participant in an external review, to apply to the information commissioner to correct an error in a written decision of the commissioner.	Section 111(2)
Power, as an agency, to apply to the information commissioner for the declaration of an applicant as a vexatious applicant.	Section 114(1)
Power, as a participant in an external review, to make a request to the information commissioner to refer a question of law arising on an external review to the Queensland Civil and Administrative Tribunal.	Section 118 (1)
Power, as a participant in an external review, to appeal to the appeal tribunal against a decision of the information commissioner on the external review.	Section 119
Power to make an application to the information commissioner to extend the 10 year period during which disclosure of certain information cannot be made.	Schedule 4, Part 4, section1(3)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY	
TITLE: STATE PENALTIES ENFORCEMENT	
Delegation by the Council to: Chief Executive Officer	Date: 17 September 2020
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>State Penalties Enforcement Act 1999</i>	

Delegated Power:

1. To exercise powers of the Council pursuant to the *State Penalties Enforcement Act 1999*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as administering authority, to approve a form for an infringement notice.	Section 15(1)
Power, as administering authority, to approve (or refuse where the conditions in this section have not been complied with) an application for payment of a fine by instalments.	Section 23
Power, as administering authority, to submit particulars required for registration of approval of instalment payments with the State Penalties Enforcement Registry.	Section 24(1)
Power, as administering authority, to withdraw an infringement notice at any time before the fine is satisfied in full and take steps required by subsection (2).	Section 28(1) and (2)
Power, as administering authority, to give the State Penalties Enforcement Registry a default certificate for registration in respect of any recipient of an infringement notice who has not taken action within the time period provided by the infringement notice.	Section 33(1)
Power, as administering authority, to <ul style="list-style-type: none"> (a) commence proceedings against an applicant for an offence; or (b) accept payment of the fine in full; or (c) issue a fresh infringement notice where the registrar has cancelled an enforcement notice and referred the matter back to Council.	Section 57(5)
Power, as an employer who pays earnings to an employee for whom a fine collection notice for redirection of the enforcement debtor's earnings is in force, to when paying the earnings, deduct an amount from the earnings as required under Part 5, Division 4.	Section 81
Power, as an administering authority, to state any matter in subsection (2) is evidence of the matter.	Section 157(2)
Power, as an administering authority, to request the Registrar to give a certificate under subsection (3).	Section 157(4)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to approve forms for use as infringement notices.	Section 162

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: STATUTORY BODIES FINANCIAL ARRANGEMENTS

Delegation by the Council to:

Chief Executive Officer

Date:

Source of Authority:

Local Government Act 2009 –Section 257

Statutory Bodies Financial Arrangements Act 1982

Delegated Power:

- To exercise powers of the Council pursuant to the *Statutory Bodies Financial Arrangements Act 1982*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a statutory body, to operate a deposit and withdrawal account with a financial institution.	Section 31(1)
Power, as a statutory body, to keep records that show Council has invested in the way most appropriate in all the circumstances	Section 47(2)
Power, as a statutory body, to sign documents for a financial arrangement under the Act.	Section 62 (1)
Power, as a statutory body, to keep a register of the Treasurer's approvals under Part 9, Division 3 of the Act for Council's exercise of a power.	Section 74

Conditions of Delegation:

- The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
- If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
- In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position

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DELEGATION OF AUTHORITY

TITLE: SUMMARY OFFENCES

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 - Section 257

Summary Offences Act 2005

Summary Offences Regulations 2006

Delegated Power:

1. To exercise the powers of Council pursuant to the *Summary Offences Act 2006*.

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power to authorise a person to busk in a public place.	Section 8(2)(b)
Power to recover from the owner of a place, as a debt, any damages, including costs, paid by Council under section 32(2), if the breach of duty by the owner that caused the injury to, or death of, a local graffiti removal officer amounts to gross negligence.	Section 32(3)
Power to make an agreement with the owner of a place in relation to the fee payable by Council to the owner for the removal of public graffiti by the owner.	Section 33(2)

2. To exercise the powers of Council pursuant to the *Summary Offences Regulations 2006*.

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power to consult with an entity that intends to make an application for an area of public land to be prescribed as motorbike control land about the proposal.	Section 10(1)(a)
Power, as entity having a legitimate interest in the area, to consult with a government entity for the purposes of reviewing the number and location of prescribed areas of motorbike control land.	Section 14(3)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:

- a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
- b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.”

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- 1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 - 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: SURVEY AND MAPPING INFRASTRUCTURE

Delegation by the Council to:

Date: 17 September 2020

Chief Executive Officer

Source of Authority:

Local Government Act 2009 – Section 257

Survey Mapping and Infrastructure Act 2003

Delegated Power:

1. To exercise the powers of the Council pursuant to the *Survey Mapping and Infrastructure Act 2003*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an owner or occupier of land, to consent to a surveyor placing a permanent survey mark on the land.	Section 21(2)
Power, as a public authority that placed, or requested to be placed, a survey mark, to give to the chief executive a copy of a survey plan or other information necessary to establish a survey mark as a recognised permanent survey mark.	Section 34
Power, where the survey mark is on a road under the control of Council, to maintain the integrity of survey markers, and provide updated information to the survey control register.	Section 39
Power, as a public authority, where the survey mark is on land, other than roads, controlled by Council, to maintain the integrity of survey markers, and provide updated information to the survey control register.	Section 40
Power, as a public authority, where a person interferes with a recognised permanent survey mark, to take action reasonably necessary to reinstate the physical and survey integrity of a recognised permanent survey marker.	Section 44
Power, as a public authority, to provide the chief executive with information about the boundaries of an administrative area.	Section 49

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position

1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.

2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: TORUMS - TRANSPORT OPERATIONS (ROAD USE MANAGEMENT)

Delegation by the Council to:
Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257

Transport Operations (Road Use Management) Act 1995

Delegated Power:

1. To exercise powers of the Council pursuant to the *Transport Operations (Road Use Management) Act 1995*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to install and remove official traffic signs on Council's roads, off-street regulated parking areas and, with the chief executive's written consent, on declared roads.	Section 69
Power to install official traffic signs where reasonably satisfied that there is a danger, hindrance, obstruction to traffic or other emergency.	Section 71
Power to take proceedings against a person who has committed an offence under section 74(1) of <i>Transport Operations (Road Use Management) Act</i> .	Section 74(2)
Power to remove unauthorised traffic signs.	Section 75(1)
Power to commence proceedings against a person who has injured one of Council's official traffic signs.	Section 76(1)
Power to remove and detain at a place for safe keeping any vehicles, trams and animals and any goods, equipment or thing contained in, on or about the vehicle, tram or animal, where the requirements of section 100(1) are satisfied.	Section 100
Power to regulate parking in its area on a road (other than a declared road), on a declared road (with the chief executive's written permission) or on an off-street regulated parking area.	Section 101(1)
Power to regulate parking by installing official traffic signs indicating how parking is regulated.	Section 102(1)
Power to exercise control over land for use as an off-street parking area under an arrangement with a person who owns or has an interest in the land.	Section 104
Power to install a parking meter or parkatarea for a designated parking space if it is installed in a way specified by the MUTCD or approved by the chief executive.	Section 105(5)
Power to enter into an agreement with the commissioner of police in respect of annual or periodical payments to the commissioner of police for costs incurred in the carrying out of duties by police officers enforcing parking regulations.	Section 109(1)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: WASTE REDUCTION & RECYCLING

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257

Waste Reduction and Recycling Act 2011

Waste Reduction and Recycling Regulation 2011

Delegated Power:

1. To exercise powers of the Council pursuant to the *Waste Reduction and Recycling Act 2011*.

NOTE: The State (via DERM as it was previously known) has delegated certain powers of the chief executive to local governments under section 263(1)(b) of the *Waste Reduction and Recycling Act 2011* This has been done via:

- the Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015.

The delegations specifically include the power to sub-delegate to an “appropriately qualified entity”

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make an exempt waste application to the chief executive.	Section 28
Power to provide further information or documents for an exempt waste application if required by the chief executive.	Section 29
Power to agree with the chief executive about extending the time for providing further information or documents for an exempt waste application.	Section 29(2)
Power, as the holder of an approval of waste as exempt waste, to request an amendment of the approval, and agree with the chief executive to the amendment of the approval.	Section 33
Power, as the holder of an approval of waste as exempt waste, to make submissions in response to a notice from the chief executive about cancelling or amending the approval.	Section 34(3)
Power, in conducting a recycling activity prescribed by regulation, to make a residue waste discounting application to the chief executive	Section 4 4(1)
Power, . the applicant for a residue waste discounting application, to provide further information or documents for the application if required by the chief executive.	Section 45
Power to agree with the chief executive about extending the time for providing further information or documents for a waste residue discounting application.	Section 45(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the holder of an approval of a discounted rate for the waste levy for residue waste, to request an amendment of the approval, and agree with the chief executive to the amendment of the approval.	Section 49
Power, as the holder of an approval of a discounted rate for the waste levy for residue waste, to make submissions in response to a notice from the chief executive about cancelling or amending the approval.	Section 50(3)(e)
Power, as the operator of a waste disposal site, to receive and request delivery information for waste.	Section 53
Power, as the operator of a resource recovery and transfer facility, to receive and request delivery information for waste.	Section 54
Power, as the operator of a levyable waste disposal site, to pay the chief executive the waste levy, including any interest.	Section 56
Power, as the operator of a waste disposal site in the waste levy zone, to ensure a weighbridge is installed and operates at the site, is brought back into operation if out of operation, and give notice to the chief executive where the weighbridge is out of operation and brought back into operation, as required by sections 56 and 57. NOTE: an exemption may apply until 30 June 2029 pursuant to chapter 16, part 3, division 2.	Sections 56 and 57
Power to measure and record waste as required by sections 59, 60 and 61. NOTE: an exemption may apply until 30 June 2029 pursuant to chapter 16, part 3, division 2.	Sections 59, 60 and 61
Power, as the operator of a waste disposal site, to agree with the chief executive about an alternative way to measure and record the waste.	Section 60(3)
Power, as the operator of a waste disposal site and where the chief executive has given Council a notice under section 63(2), to install, maintain and operate a monitoring system as required by the notice, and comply with sections 64, 65 and 66.	Sections 63, 64, 65 and 66
Power, as the operator of a levyable waste disposal site, to carry out volumetric surveys, ensure volumetric surveys are carried out, and give the chief executive copies of the results of the volumetric surveys as required by sections 67, 68 and 69.	Sections 67, 68 and 69
Power, as the operator of a levyable waste disposal site, to give the chief executive a waste data return.	Section 72
Power, as the operator of a levyable waste disposal site, to keep the documents stipulated in section 72A.	Section 72A
Power, as the operator of a levyable waste disposal site, to apply to the chief executive to enter a waste levy instalment agreement, and enter the agreement.	Section 72C
Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an amendment of a waste levy instalment agreement, and enter the amendment agreement.	Section 72D

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an extension of time to pay a waste levy amount.	Section 72G
Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an extension of time to submit a waste data return and pay a waste levy amount.	Section 72H
Power, as the operator of a levyable waste disposal site where the chief executive has decided an estimated waste levy amount under section 72J, to adjust the waste levy amount payable if a different amount is decided under a review of the chief executive's decision on the estimated waste levy amount.	Section 72J(3)(c)
Power, as the operator or former operator of a waste disposal site who is eligible for a bad debt credit, to apply to the chief executive for relief.	Section 72L
Power to respond to a notice from the chief executive requiring further reasonable information or documents about the application for a bad debt credit.	Section 72M(1)
Power to agree with the chief executive about extending the time for providing the further information or documents.	Section 72M(2)
Power, as the operator of a waste disposal site, to declare an area within the site as a resource recovery area by giving the chief executive notice of a proposed resource recovery area.	Sections 72R and 72S
Power, as the operator of a waste disposal site with a resource recovery area, to amend the declaration as a resource recovery area by giving the chief executive notice of the proposed amendment.	Section 72U
Power, as the operator of a waste disposal site with a resource recovery area, to cancel the declaration as a resource recovery area by giving the chief executive notice of the proposed cancellation.	Section 72V
Power, as the operator of a waste disposal site with a resource recovery area and where the chief executive proposes to revoke the declaration, to make submissions to the chief executive to show why the declaration should not be revoked.	Section 72W
Power, as the operator of a waste disposal site with a resource recovery area, to keep the documents and results stipulated in section 72X.	Section 72X
Power, as the operator of a resource recovery area at a waste disposal site in the waste levy zone, to carry out volumetric surveys, ensure volumetric surveys are carried out and give the chief executive a copy of the results of the volumetric survey as required by section 72Y. **NOTE: section 72Y only applies from 01 June 2020.	Section 72Y
Power, as the operator of a resource recovery area at a waste disposal site not in the waste levy zone, to carry out volumetric surveys, ensure volumetric surveys are carried out and give the chief executive a copy of the results of the volumetric survey as required by section 72Z.	Section 72Z
Power, as the operator of a waste disposal site that has declared, or claims to have declared, a resource recovery area under section 72S, to ensure that the resource recovery area complies with section 73A(2).	Section 73A

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the physical barrier or points of access for the resource recovery area that does not change the boundaries of the area, to amend the plan of the waste disposal site, and give the chief executive notice and a copy of the amended plan.	Section 73C(2)
Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the recycling activities, to advise the chief executive of the change.	Section 73C(3)
Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the entity having responsibility for the operation of the resource recovery area, to advise the chief executive of the change.	Section 73C(4)
Power, as a local government affected by the waste levy, to receive an annual payment from the chief executive and use that payment to mitigate any direct impacts of the waste levy on households in Council's local government area.	Sections 73D(1) and (2)
Power, as a local government affected by the waste levy that receives an annual payment from the chief executive, to include a statement on rate notices that informs the ratepayer of the amount paid to the local government and the purpose of the payment.	Section 73D(4)
Power to apply to the chief executive for accreditation as scheme manager for a voluntary product stewardship scheme.	Section 89
Power, as a participant in an accredited stewardship scheme, to amend the scheme by agreement with all other participants in the scheme.	Section 95
Power, as scheme manager of an accredited stewardship scheme that the minister is proposing to revoke, to make written submissions to show why the proposed action to revoke the accreditation should not be taken.	Section 97
Power to claim a refund amount for an empty container under chapter 4, part 3B, division 3, subdivision 1.	Sections 99S(1) and 99U(1)
Power, as the operator of a container refund point, to accept the container and pay the person the refund amount for the container.	Section 99S(2)
Power, as the operator of a container refund point, to:- (a) keep each refund declaration given to the operator for at least 5 years after the declaration was given; (b) for the proof of identity document mentioned in section 99T(3)(c) that accompanied the declaration, make a copy of the proof of identity document and keep the copy with the declaration for at least 5 years after the declaration was given; if asked by an authorised person - produce the declaration and copy of the proof of identity document for inspection by the authorised person.	Section 99Y(1)
Power, as the operator of a container refund point, to enter a container collection agreement with the Organisation.	Section 99ZA

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the operator of a container refund point, to claim a collection amount from the Organisation for containers collected.	Section 99ZB
Power, as the operator of a material recovery facility, to enter a material recovery agreement with the Organisation.	Section 99ZF
Power, as the operator of a material recovery facility, to claim the recovery amount from the Organisation.	Section 99ZH
Power, as the operator of a material recovery facility, to comply with the recovery amount protocol.	Section 99ZL
Power, as delegate of the chief executive administering the Act, to give a notice to an adult person. <i>As this power relates to Chapter 5, Part 2 of the Act.</i>	Section 110
Power, as delegate of the chief executive administering the Act, to give a notice to an adult person. <i>As this power relates to Chapter 5, Part 2 of the Act.</i>	Section 111
Power, as delegate of the chief executive administering the Act, to direct a responsible entity to collect material from premises. <i>As this power relates to Chapter 5, Part 2 of the Act.</i>	Section 112
Power, as a local government, to prepare and implement a waste reduction and recycling plan (Nb. this obligation does not commence until 30 June 2015).	Section 123
Power to make written submissions where the chief executive intends to prepare a waste reduction and recycling plan for the local government to address an aspect that is relevant to the local government.	Section 128
Power, as a local government, to give the chief executive a report about the operation, in the financial year, of all the local government's waste reduction and recycling plans in force in its local government area (Nb. this obligation does not commence until 2 months after 30 June 2015).	Section 147
Power, as a reporting entity, to give the chief executive a report about the entity's receiving, sorting, recycling, treatment or disposal of waste in the financial year.	Section 152
Power to make a submission about a potential end of waste code	Section 160
Power to make a submission about a draft end of waste code	Section 165
Power to apply to amend an end of waste code	Section 168
Power, in relation to an end of waste code which the chief executive proposes to amend, cancel or suspend, to make written submissions about the proposed action. .	Section 172
Power to give the chief executive a notice stating that Council intends to become a registered resource producer for the code.	Section 173B(1)
Power to give the chief executive a notice in the approved form.	Section 173B(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make a submission in response to a notice issued by the chief executive.	Section 173D
Power to respond to a request for advice, comment or information about the operation of an end of waste code issued by the chief executive.	Section 173H
Power to apply to the chief executive for an end of waste approval to conduct a trial for 1 kind of waste.	Section 173I
Power to comply with the conditions of an end of waste approval.	Section 173K
Power to apply to the chief executive to extend an end of waste approval.	Section 173L
Power to apply to the chief executive to amend an end of waste approval.	Section 173M
Power to apply to the chief executive to transfer an end of waste approval.	Section 173O
Power to respond to a request from the chief executive for advice, comment or information about the operation of Chapter 8, Part 3.	Section 173Q
Power to respond to a request from the chief executive for further information or documents required to decide an application under chapter 8A.	Section 173T
Power to respond to a show cause notice from the chief executive.	Section 173ZB
Power to surrender an approval by giving notice to the chief executive officer.	Section 173ZE
Power to respond to a notice from the chief executive requiring information about an approval.	Section 173ZF
Power, where given, or entitled to be given, an information notice for a decision, to apply to the chief executive for an internal review of the decision.	Section 175
Power to, as delegate of the chief executive administering the Act, apply for an internal review of the decision. <i>As this power relates to sections 248(2) and 253(3) of the Act.</i>	Section 175
Power to, as delegate of the chief executive administering the Act, extend the time for making an internal review application. <i>As this power relates to sections 248(2) and 253(3) of the Act.</i>	Section 176(2)
Power, where an internal review application has been made, to apply for a stay of the original decision.	Section 177
Power to, as delegate of the chief executive administering the Act, conduct an internal review of the original decision and decide the internal review application. <i>As this power relates to sections 248(2) and 253(3) of the Act.</i>	Section 178
Power to, as delegate of the chief executive administering the Act, give notice of an internal review decision. <i>As this power relates to sections 248(2) and 253(3) of the Act.</i>	Section 179

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, where given, or entitled to be given, a QCAT information notice under section 179 of the <i>Waste Reduction and Recycling Act 2011</i> , to apply to QCAT, under the QCAT Act, for external review of the decision.	Section 180
Power, as delegate of the chief executive administering the Act, to appoint a person as an authorised person. Any appointment of an authorised person must be subject to the limitation that an authorised person can only exercise the powers in section 117 and Chapter 10 of the Act in relation to the following offences: <ul style="list-style-type: none"> - Chapter 5, Parts 1, 2 and 3, Division 1 and 2 of the Act; - Section 251(a); - Section 251(c); - Section 254; and - Section 264. 	Section 183
Power, as delegate of the chief executive administering the Act, to issue an identity card to an authorised person.	Section 187
Power, as delegate of the chief executive administering the Act, to give a show cause notice. <i>As this power relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2) and 112(2) of the Act.</i>	Section 246
Power, as delegate of the chief executive administering the Act, to give a compliance notice. <i>As this power relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2) and 112(2) of the Act.</i>	Sections 248 and 249
Power, as delegate of the chief executive administering the Act, to give a notice requiring the person to commission a waste audit and to provide a waste report on the audit. <i>As this power relates to section 104 of the Act</i>	Sections 253
Power to bring a proceeding in a Magistrates Court for an order to remedy or restrain an offence against the Act. or a threatened or anticipated offence against the Act.	Section 261
Power, as an operator of a levyable waste disposable site, to apply to the chief executive for an exemption during the transition period from the requirements of section 57.	Sections 317(2)
Power, as an operator of a levyable waste disposable site in the waste levy zone, to carry out a volumetric survey, ensure a volumetric survey is carried out, give a copy of the results of the volumetric survey to the chief executive, and keep a copy of the results as required by section 323.	Sections 323
Power, as an entity having responsibility for the operation of a resource recovery area for a waste disposal site in the waste levy zone, to carry out a volumetric survey, ensure a volumetric survey is carried out, give a copy of the results of the volumetric survey to the chief executive, and keep a copy of the results as required by section 324.	Sections 324

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an operator of a small site, to give the chief executive written notice of a proposed alternative methodology for measuring and recording waste at the site and implement that alternative methodology. NOTE: this section only applies until 30 June 2021.	Sections 325

2. To exercise powers of the Council pursuant to the *Waste Reduction and Recycling Regulation 2011*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, where Council has, by resolution, designated areas to conduct general waste or green waste collection, to decide the frequency of general waste or green waste collection in designated areas.	Section 7(b)
Power, where the container collection agreement allows the operator to subcontract the operation of the container refund point, to give the Organisation notice of the information contained in subsection (3)	Section 22(3)
Power to sign the notice about a recovery sharing arrangement on behalf of Council.	Section 26(3)(a)
Power to give the information required by sections 41Q(2) and 41Q(3) to the Chief Executive	Section 41Q
Power to give the information required by sections 41ZL(1) and 41ZL(2) to the Chief Executive.	Section 41ZL
Power to prepare an emergency plan and keep it up to date.	Section 41ZM

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: WORK HEALTH AND SAFETY

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 - Section 257

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Delegated Power:

1. To exercise the powers of Council pursuant to the *Work Health and Safety Act 2011*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to notify the regulator after becoming aware a notifiable incident has occurred	Section 38
Power to consult with workers who are, or are likely to be, directly affected by a matter relating to work health or safety	Section 47
Power to facilitate the conduct of an election for 1 or more health and safety representatives to represent workers	Sections 51 to 54
Power to make an application to the commission to disqualify a health and safety representative.	Section 65
Power to comply with the general obligations of a person conducting a business or undertaking provided in section 70.	Section 70
Power to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a workgroup.	Section 71(5)
Power, as person conducting a business or undertaking, to refuse to grant access to information mentioned in section 70(1)(c) if the information is confidential commercial information.	Section 71(7)
Power to ask the regulator to appoint an inspector to decide the matter.	Section 72(5)
Power as a person conducting a business or undertaking to comply with subsections (a) to (c).	Section 74
Power to establish a health and safety committee.	Sections 75 to 78
Power, as a party to an issue, to resolve the issue in accordance with an agreed procedure or the default procedure.	Section 80 and 81
Power to ask the regulator to appoint an inspector to assist in resolving the issue.	Section 82(2)
Power to direct the worker to carry out suitable alternative work at the same or another workplace.	Section 87
Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving an issue arising from a cessation of work.	Section 89

DESCRIPTION OF POWER DELEGATED	LEGISTATION
Power to give a copy of the provisional improvement notice to the regulator.	Section 97A
Power to give the industrial registrar written notice of the dispute.	Section 102B
Power to appeal a decision of the Commission given under Part 5, Division 7A.	Section 102G
Power, as a person conducting a business or undertaking, to appoint a work health and safety officer for that business or undertaking.	Section 103A
Power, as a person conducting a business or undertaking, to instruct a work health and safety officer to take reasonable action to eliminate or minimise risks to health and safety.	Section 103F
Power to apply to the Magistrates Court for an order under section 112 about engaging in or inducing discriminatory or coercive conduct.	Section 112
Power to apply to the Commission to revoke a WHS entry permit.	Section 138
Power to appeal a decision of the commission.	Section 140
Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.	Section 141
Power, as receiver of a direction from the inspector under section 131A(2) to comply with it.	Section 141A
Power to apply to the Commission for it to deal with the dispute.	Section 142(4)
Power to appeal a decision of the Commission.	Section 142A
Power to apply to the regulator for the return of a seized thing.	Section 180
Power to demand that the regulator allow the CEO to inspect a seized thing and if the seized thing is a document to make copies of it.	Section 181
Power to claim compensation from the State.	Section 184
Power to make a written undertaking (a WHS undertaking) in connection with a matter relating to a contravention or alleged contravention of the <i>Work Health and Safety Act</i> .	Section 216
Power, as a person who has made a WHS undertaking, to at any time, with the agreement of the regulator, withdraw the undertaking or vary the undertaking.	Section 221
Power, as an eligible person in relation to a reviewable decision to apply to the regulator for an internal review of the decision.	Section 224
Power, as an eligible person to apply to the external review body for review of a reviewable decision made by the regulator or a decision made, or taken to have been made, on an internal review.	Section 229 to 229E
Power to appeal a decision of the commission.	Section 229F
Power to, in the circumstances provided in subsections (1) or (1A), make a written request to the WHS prosecutor that a prosecution be brought.	Sections 231(1) and (1A)
Power to, in the circumstances provided in subsection (3), request the WHS prosecutor to refer the matter to the director of public prosecutions.	Section 231(3)

2. To exercise the powers of Council pursuant to the *Work Health and Safety Regulation 2011*

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an approved RTO, to grant a person a certificate of authority.	Section 31B
Power, as a person conducting a business or undertaking at a workplace, to prepare, maintain and implement an emergency plan.	Section 43
Power, as a person conducting a business or undertaking at a workplace, to maintain a written record of the evidence provided under subsections (1), (2) and (3).	Section 85(4)
Power to apply to the regulator for a licence to carry out demolition work.	Section 144B
Power to make a submission to the regulator in relation to a proposed refusal	Section 144I
Power, as a holder of a licence to carry out demolition work, to make a submission to the regulator in relation to a proposed amendment to a licence.	Section 144P
Power, as a holder of a licence to carry out demolition work to apply to the regulator to amend the licence.	Section 144Q(1)
Power after receiving a written notice of intention to refuse an application to amend the licence from the regulator, to make a submission to the regulator in relation to the proposed refusal.	Section 144Q(2)
Power to apply to the regulator for a replacement document.	Section 144U
Power, as a holder of a licence to carry out demolition work to voluntarily surrender the licence document to the regulator.	Section 144V
Power, as a holder of a licence to carry out demolition work, to apply to the regulator for renewal of the licence.	Sections 144VA, 144VB
Power, as a holder of a licence to carry out demolition work to make a submission to the regulator in relation to the proposed suspension, cancellation and/or disqualification.	Section 144Y
Power, as a person with management or control of an item of plant stated in schedule 5, part 2, to apply to the regulator for the registration of that item of plant.	Section 265
Power to respond to a notice from the regulator on a proposal to refuse registration of an item of plant stated in schedule 5, part 2.	Section 270(1)(b)
Power to respond to a notice from the regulator on a proposal to cancel the registration of an item of plant stated in schedule 5, part 2.	Section 288C
Power to return the registration document for an item of plant stated in schedule 5, part 2 to the regulator.	Section 288D
Power, as a person conducting a business or undertaking, to obtain the current safety data sheet for a hazardous chemical used at a workplace	Section 344
Power, as a person conducting a business or undertaking, to prepare and maintain a register of hazardous chemical used at a workplace	Section 346
Power to apply in writing to the regulator for authorisation to use, handle or store a prohibited carcinogen or restricted carcinogen	Section 383

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to ensure that all asbestos or asbestos contaminated material at a workplace is identified by a competent person.	Section 422(1)
Power to ensure that the presence and location of all asbestos or asbestos contaminated material at a workplace is clearly indicated and if practicable labelled.	Section 424
Power to prepare, maintain and review an asbestos register for each workplace.	Sections 425(1) and 426
Power to prepare, maintain and review an asbestos management plan for each workplace.	Sections 429 and 430
Power, as an eligible person in relation to a reviewable decision set out in section 676 of the <i>Work Health and Safety Regulation</i> , to apply to the regulator for an internal review of a decision.	Section 678(1)
Power, as an eligible person in relation to a reviewable decision under section 89(5), 118(5), 256(5), 269(5) or 497(5) of the <i>Work Health and Safety Regulation</i> to apply to the regulator for an internal review of the decision.	Section 678(2)
Power, as an eligible person to apply to QCAT for an external review of reviewable decision made by the regulator or of a decision made, or taken to have been made, on an internal review.	Section 683
Power to apply for an exemption from compliance with any provision of the <i>Work Health and Safety Regulation</i> .	Section 684

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position."

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: WORKERS COMPENSATION AND REHABILITATION

Delegation by the Council to:

Chief Executive Officer

Date: 17 September 2020

Source of Authority:

Local Government Act 2009 – Section 257

Workers' Compensation and Rehabilitation Act 2003

Workers' Compensation and Rehabilitation Regulation 2014

Delegated Power:

- To exercise the powers of Council pursuant to the *Workers' Compensation and Rehabilitation Act 2003*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an employer, to insure and keep insured all Council's employees and Councillors.	Section 48
Power, as an employer, to pay a premium notice issued by WorkCover.	Section 54(7)
Power, as an employer, to pay a reassessment premium notice issued by WorkCover.	Section 56(5)
Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty for contravening section 48.	Section 57(3)
Power, as an employer, to object to a default assessment issued by WorkCover.	Section 58(6)
Power, as an employer, to pay a default assessment notice issued by WorkCover.	Section 58(10)
Power, as an employer, to apply to WorkCover for a waiver or reduction of an additional premium.	Section 64(2)
Power, as an employer who is not a self-insurer, and who is or is required to be insured under a WorkCover policy, to pay the weekly payment of compensation payable to an injured worker during the excess period.	Section 66(2)
Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 66(6).	Section 66(7)
Power, as a local government self-insurer, to cover councillors under the self-insurer's licence.	Section 68A(1)
Power, as a local government self-insurer, to notify the councillors and the Regulator of its decision to cover councillors under the self-insurer's licence.	Section 68A(3)
Power to apply to the Regulator to be licensed as a self-insurer, as described in Chapter 2, Part 4.	Sections 69 and 70
Power, as a prospective self-insurer, to make a submission to the Regulator about a decision to refuse an application to be licensed as a self-insurer.	Section 77(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as self-insurer, to apply to renew a self-insurer licence or to notify the Regulator that Council intends not to apply for renewal.	Section 79
Power, as self-insurer, to make a submission to the Regulator about a decision to refuse an application to renew a self-insurer licence.	Section 80(3)
Power, as a self-insurer, to pay the annual levy to the Regulator.	Section 81
Power, as a self-insurer, to comply with the conditions imposed on the licence under the Regulation and by the Regulator.	Section 83
Power, as a self-insurer, to lodge security with the Regulator before the issue or renewal of a self-insurer licence.	Section 84
Power, as a self-insurer, to obtain a contract of reinsurance of liabilities and lodge the contract with the Regulator.	Section 86
Power, as a self-insurer, to exercise all of the powers identified in section 92 in relation to the self-insurer's workers.	Section 92
Power, as a local government self-insurer, to exercise all of the powers identified in section 92A in relation to councillors covered by the self-insurer's licence.	Section 92A
Power, as a local government self-insurer, to keep the documents identified in sections 93 and 93A.	Sections 93 and 93A
Power, as a self-insurer, to comply with a notice to give documents issued by the Regulator under this section.	Section 94
Power, as a self-insurer, to respond to a written notice issued by the Regulator under this section.	Section 96
Power, as a self-insurer, to send a written notice to the Regulator seeking to cancel a self-insurer licence.	Section 97
Power, as former self-insurer, to request the Regulator to allow Council to continue to exercise the powers referred to in sections 92 and/or 92A.	Section 100(2)
Power, as a former self-insurer, to request the return of the balance of the section 84 security from the Regulator.	Section 103
Power, as an employer, to ask the Regulator to approve the amount provided for in the industrial instrument for the purposes of section 107B of the <i>Workers' Compensation and Rehabilitation Act 2003</i> .	Section 107E(2)
Power, as an employer, to appeal the Regulator's decision to refuse to approve the amount provided for in the industrial instrument under Chapter 13 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> .	Section 107E(6)
Power, as a self-insurer, to pay compensation for an injury sustained by a worker.	Section 109(1)
Power, as an employer who is not a self-insurer, to pay compensation for an injury sustained by a worker where the worker has made an application for compensation under section 132 and Council has complied with section 133A.	Section 109(4)
Power, as an employer who is not a self-insurer, to pay compensation for an injury sustained by a worker where the worker has made an application for compensation under section 132 and Council has complied with section 133A.	Section 109(4)
Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 109A.	Section 109A(4)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an employer, other than a self-insurer, whose worker sustains an injury for which compensation may be payable, to complete a report in the approved form and send it to the nearest WorkCover office.	Section 133
Power, as an employer, other than a self-insurer, to give WorkCover written notice in the approved form if:- (a) a worker asks the employer for compensation for an injury sustained by the worker; or (b) the employer pays the worker an amount, either in compensation or instead of compensation, that is payable by the employer or WorkCover under the Act for an injury sustained by the worker.	Section 133A
Power, as an employer, to pay compensation to an injured worker for the day the worker stops work because of the injury.	Section 144
Power, as an employer, to pay the amount of the first charge or the whole of the damages to the insurer.	Section 207B(4)
Power, as an employer, to appoint a Rehabilitation and Return to Work Coordinator where the employer meets the criteria prescribed under a regulation.	Section 226
Power, as an employer, to prepare and have in place a workplace rehabilitation policy and procedure, and review those policies and procedures every 3 years.	Section 227
Power, as an employer, to assist or provide an injured worker with rehabilitation.	Section 228(1) and 228(2)
Power, as an employer, to cooperate with an insurer to enable the insurer to meet its obligations under section 220.	Section 228(3)
Power, as an employer, to give the insurer written evidence that it is not practicable to provide a worker with suitable duties.	Section 228(4)
Power, as an employer other than a self-insurer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 229.	Section 229(4)
Power, as an employer against whom negligence is alleged, to cooperate fully with and give WorkCover all information and access to documents in relation to the claim.	Section 280
Power, as a self-insurer against whom a proceeding for damages has been brought, to conduct the proceedings and/or settle the claim.	Section 300(6)
Power, as an employer, other than a self-insurer, against whom a proceeding for damages has been brought, to execute all documents and do everything that WorkCover considers reasonably necessary to allow the proceedings to be conducted by it.	Section 300(7)
Power to comply with the requirement of an authorised person to give information or produce documents required under section 532C.	Section 532C
Power, as an employer or contractor, to keep the documents about workers, and contracts for the performance of work, prescribed under a regulation.	Section 532D
Power, as an employer who is not a self-insurer, to give WorkCover information the employer has in relation to a person defrauding, or attempting to defraud, WorkCover, or in relation to a person stating anything, or giving a document containing information, to WorkCover or a registered person that the person knows is false or misleading in a material particular.	Section 536(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an employer who is a self-insurer, to give the Regulator information the employer has in relation to a person defrauding, or attempting to defraud, the self-insurer, or in relation to a person stating anything, or giving a document containing information, to the self-insurer or a registered person that the person knows is false or misleading in a material particular.	Section 536(4)
Power to apply for a review of a decision identified in section 540(1) of the <i>Workers' Compensation and Rehabilitation Act 2003</i> and to take all steps necessary to conduct the application and to appear at the hearing.	Section 541
Power to appeal to an appeal body against the following decisions of the Regulator or the insurer: (a) a review decision, other than a decision to return a matter to a decision-maker under section 545 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> ; and (b) a decision under Chapter 3 or Chapter 4 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> that is not a decision mentioned in section 540(1) (a non-reviewable decision), and to take all steps necessary to file and serve the notice of appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing.	Section 549, 550, 552A and 554
Power to seek the consent of the other party or the leave of the appeal body for Council to be represented by a lawyer at a conference under section 552A or at the hearing of an appeal.	Section 552B
Power to appeal against a decision of the Regulator identified in section 567 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> and to take all steps necessary to file and serve the notice of appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing.	Section 568
Power, as a prospective employer, to request in writing that a prospective worker disclose to Council the worker's pre-existing injury or medical condition, if any.	Section 571B
Power, as a principal contractor for a construction project to, by written notice, to ask the relevant contractor for a copy of a required document.	Section 576C

2. To exercise the powers of council pursuant to the *Workers' Compensation and Rehabilitation Regulation 2014*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an employer other than a self-insurer, to submit to WorkCover a declaration of wages.	Section 8(2)
Power, as an employer other than a self-insurer, to enter a payment plan with WorkCover.	Section 10(2)(d)
Power, as a former employer, to give written notice to WorkCover.	Section 13(3)
Power, as a self-insurer, to appoint an actuary to calculate an amount of outstanding liability for section 87 of the Act.	Section 26
Power, as an employer, to agree with WorkCover on a calculation of an outstanding liability for section 87 of the Act, based on a joint summary report prepared by actuaries under section 30 of the <i>Workers' Compensation and Rehabilitation Regulation 2003</i> .	Section 31

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an employer, to advise the Regulator that WorkCover and the employer do not agree on the outstanding liability amount.	Section 32
Power, as a former self-insurer, to appoint an actuary to calculate an amount of liability for section 102 of the Act.	Section 46
Power, as a former self-insurer, to give the information, in the approved form, necessary to enable the actuaries to complete the calculation.	Section 47
Power, as a former self-insurer, to agree with WorkCover on the amount of the calculation for section 102 of the Act.	Section 51
Power, as a former self-insurer, to advise the Regulator that WorkCover and the former self-insurer do not agree on the self-insurer's liability amount.	Section 52
Power, as a self-insurer, to give the Regulator and the approved actuary, in the form approved by the Regulator, the self-insurer's data.	Section 56
Power, as a self-insurer, to agree with the Regulator about the self-insurer's estimated claims liability.	Section 62
Power, as an employer of employees to appoint 1 rehabilitation and return to work coordinator for more than one workplace.	Section 115(3)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.