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## 2.0 DELEGATIONS

### 2.1 Waste Reduction and Recycling Act 2011

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Waste Reduction and Recycling Act 2011</i>	Section	Delegation Date	Condition(s)
Power to make an exempt waste application to the chief executive.	s29	31/01/2012	
Power, as an applicant on an exempt waste application, to agree with the chief executive about extending the time for providing any further information requested by the chief executive.	s30	31/01/2012	
Power, as holder of an exempt waste approval, to ask for, and agree with the chief executive on, amendments to the approval.	s32	31/01/2012	
Power, as holder of an exempt waste approval that the chief executive is proposing to cancel, to make written submissions to show why the proposed action to cancel the approval should not be taken.	s36	31/01/2012	
Power, as operator of a levyable waste disposal site, to claim a resource recovery deduction (see, in particular, section 39(1)(a), (b), (c) and (d) of the Act).	s39	31/01/2012	
Power, as operator of a levyable waste disposal site, to ask a person delivering waste to the site for information reasonably required to identify particulars about the waste delivered (see, in particular section 41(1)(a), (b) and (c) of the Act).	s41	31/01/2012	
Power to install and keep in proper working order a weighbridge as required by this section.	s43	29/07/2014	
Power to measure and record waste in accordance with this section.	s44	29/07/2014	
Power to prepare the waste data return for the mandated reporting period.	s52	29/07/2014	
Power, as a participant in an accredited stewardship scheme, to amend the scheme by agreement with all other participants in the scheme.	s95	31/01/2012	
Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	s110	31/01/2012	
Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	s111	31/01/2012	
Power, as delegate of the chief executive administering the Act, to direct a responsible entity to collect material from premises.	s112	31/01/2012	
Power to prepare and implement a waste reduction and recycling plan (NB Council is not obligated to commence this process until 30 June 2015).	s123	29/07/2014	
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.	s128	31/01/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Waste Reduction and Recycling Act 2011</i>	Section	Delegation Date	Condition(s)
Power 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 the local government area.	s147	31/01/2012	
Power to give the chief executive a report about Council's receiving, sorting, recycling, treatment or disposal of waste in the financial year.	s152	29/07/2014	
Power to apply to the chief executive for a specific approval of a resource.	s157	31/01/2012	
Power to agree with the chief executive to extend the time for providing additional material requested by the chief executive on an application for a specific approval of a resource.	s158	31/01/2012	
Power as holder of a specific approval of a resource, to apply to the chief executive to transfer the benefit of the approval or amend the approval.	s168	31/01/2012	
Power to agree with the chief executive to extend the time for providing additional material requested by the chief executive on an application to transfer or amend a specific approval of a resource.	s169	31/01/2012	
Power in relation to an approval which the minister intends to amend, cancel or suspend, to make written submissions to show why the proposed actions should not be taken.	s172	31/01/2012	
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.	s175	31/01/2012	
Power, as delegate of the chief executive administering the Act, to extend the time for making an internal review application.	s176(2)	30/10/2012	
Power where an internal review application has been made, to apply for a stay of the original decision.	s177	31/01/2012	
Power, as delegate of the chief executive administering the Act, to conduct an internal review and make a decision to: <ul style="list-style-type: none"> <li>(a) confirm the original decision; or</li> <li>(b) amend the original decision; or</li> <li>(c) substitute another decision for the original decision.</li> </ul>	s178	30/10/2012	
Power, as delegate of the chief executive administering the Act, to give notice of internal review decision and a QCAT information notice if the internal review decision is not the decision sought by the applicant.	s179	30/10/2012	
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.	s180	31/01/2012	
Power as delegate of the chief executive administering the Act, to appoint a person as an authorised person.	s183	31/01/2012	
Power as delegate of the chief executive administering the Act, to issue an identity card to an authorised person.	s187	31/01/2012	
Power as delegate of the chief executive administering the Act, to give a show cause notice.	s246	31/01/2012	
Power as delegate of the chief executive administering the Act, to give a compliance notice.	ss248-249	31/01/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Waste Reduction and Recycling Act 2011</i>	Section	Delegation Date	Condition(s)
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.	s253	31/01/2012	
Power as delegate of the chief executive administering the Act, to carry out work or take any other action reasonable necessary to fulfil the requirements of an order under s258 of the Act and to recover the costs reasonably incurred as a debt.	s260	30/10/2012	
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.	s261	31/01/2012	
Power as delegate of the chief executive administering the Act, to receive information or a document containing information.	ss264(2)(c) and 265	30/10/2012	
Power as delegate of the chief executive administering the Act, to approve forms for use under the Act.	s270	30/10/2012	

## 2.2 Waste Reduction and Recycling Regulation 2011

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Waste Reduction and Recycling Regulation 2011</i>	Section	Delegation Date	Condition(s)
Power to decide the frequency of general waste or green waste collection in designated areas.	s7	29/07/2014	
Power to give the information required by this section to the Chief Executive.	s41(3)(c)	21/01/2014	

## 2.3 Environmental Protection Act 1994

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Environmental Protection Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as an 'affected person' (as defined by section 38), to consult with the proponent of a project.	s41(3)(c)	31/01/2012	
Power, as an affected person, to make written comments to the chief executive about a TOR notice.	s43	09/12/2014	
Power to make a written submission about a submitted EIS.	s54	09/12/2014	
Power as an administering authority, to impose conditions on a development approval, including the power to require further information.	s73B	31/01/2012	
Power as an administering authority, to add, change or cancel a development condition, including the power to enter an agreement with the registered operator of the development approval for the addition, change or cancellation of a development condition.	s73C	31/01/2012	
Power to apply to be a registered operator to carry out one or more chapter 4 activities.	s73D	31/01/2012	
Power as an administering authority, to refuse an application for registration.	s73E	31/01/2012	
Power to apply for one registration certificate for activities carried out at different places.	s73F	31/01/2012	
Power as an administering authority, to grant or refuse an application for one registration certificate for activities carried out at different places.	s73F	31/01/2012	
Power as an administering authority, to issue separate registration certificates, including the power to serve the required notices.	s73FA	31/01/2012	
Power as a registered operator the subject of a notice under section 73FA, to make submissions to the administering authority.	s73FA	31/01/2012	
Power as an administering authority, to amend a registration certificate to correct a clerical or formal error.	s73H	31/01/2012	
Power as an administering authority, to enter an agreement with the registered operator to amend a registration certificate.	s73HA	31/01/2012	
Power as a registered operator, to agree to an amendment requested by the administering authority.	s73HA	31/01/2012	
Power as an administering authority, to amend a registration certificate.	s73HB	31/01/2012	
Power as a registered operator, to apply for a registration certificate.	s73HC	31/01/2012	
Power as an administering authority, to amend a registration certificate to include a new chapter 4 activity for an existing registered operator.	s73HC	31/01/2012	
Power as an administering authority, to amend a registration certificate to remove a continuing chapter 4 activity.	s73HD	31/01/2012	
Power as an administering authority, to cancel or suspend a registration certificate.	ss73I and 73L	31/01/2012	
Power as an administering authority, to issue a notice under section 73J.	s73J	31/01/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Environmental Protection Act 1994</i>	Section	Delegation Date	Condition(s)
Power as the recipient of a notice issued under section 73J, to make submissions.	s73J	31/01/2012	
Power as a registered operator, to apply to surrender Council's registration certificate.	s73O	31/01/2012	
Power as an administering authority, to approve or refuse an application to surrender a registration certificate.	s73O	31/01/2012	
Power as a registered operator, to give a proposed buyer of the business notice that it needs to apply for a new registration certificate.	s73Q	31/01/2012	
Power as an administering authority, to require a person to conduct or commission an environmental audit.	s322	31/01/2012	
Power as an administering authority, to require a person to conduct or commission an environmental investigation.	s323	31/01/2012	
Power as an administering authority, to do one or more of the following: <ul style="list-style-type: none"> <li>require the recipient to prepare a transitional environmental program;</li> <li>amend the conditions of any authority held by the recipient;</li> <li>add, change or cancel a development condition of a development approval held by the recipient;</li> <li>serve an environmental protection order; and</li> <li>take any other action it considers appropriate.</li> </ul>	s326(2)	31/01/2012	
Power as an administering authority, to require the recipient to conduct or commission a further evaluation.	s326(3)	31/01/2012	
Power as an administering authority, to require the recipient to provide further information.	s326(4)	31/01/2012	
Power as an administering authority, to extend the time it is required to make a decision on a report.	s328	31/01/2012	
Power as an administering authority, to require a person or public authority to submit a draft transitional environmental program.	s332	31/01/2012	
Power to make a submission in relation to a draft transitional environmental program.	s335	31/01/2012	
Power as an administering authority, to invite parties to a conference to help it determine whether or not to approve a program.	s336	31/01/2012	
Power as an administering authority, to approve a draft environmental program.	s337	31/01/2012	
Power as an administering authority to: <ul style="list-style-type: none"> <li>approve a draft transitional environmental program as submitted or with amendments requested or agreed to by the administering authority; or</li> <li>refuse to approval a draft transitional environmental program.</li> </ul>	s339(1)	31/01/2012	
Power as an administering authority to impose on an approval of a draft transitional environmental program: <ul style="list-style-type: none"> <li>any conditions the authority must impose under a regulatory requirement; and</li> <li>any other conditions the administering authority thinks appropriate.</li> </ul>	s339(2)	31/01/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Environmental Protection Act 1994</i>	Section	Delegation Date	Condition(s)
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 which complies with section 340(2).	s340(1)	31/01/2012	
Power as an administering authority, to approve a draft transitional environmental program if there has been substantial compliance.	s342	31/01/2012	
Power as an administering authority, to consider and approve or refuse an application to amend a transitional environmental program.	s344	31/01/2012	
Power as an administering authority, to apply to the Court for an order.	s355	31/01/2012	
Power as an administering authority, to issue an environment protection order.	s358	31/01/2012	
Power as an administering authority, to require the holder of an approval or a registered operator to provide financial assurance as security.	s364	31/01/2012	
Power as an administering authority, to give written notice to an applicant or person who submitted a transitional environmental program or site management plan stating that the authority requires financial assurance as a condition of approval.	s365(1)	31/01/2012	
Power as an administering authority, to consider representations in relation to the condition that the person must provide financial assurance for a transitional environmental program or site management plan.	s365(4)	31/01/2012	
Power as an administering authority, to require an applicant to provide it with an audit statement for an application made under section 366, including the power to decide such an application.	s366	31/01/2012	
Power as an administering authority, to issue a notice that it intends to make a claim on a financial assurance, including the power to consider representations made in response to the notice.	ss 367(3) and 367(6)	31/01/2012	
Power as an administering authority, to make a claim on a financial assurance.	s367	31/01/2012	
Power as owner or occupier of land, to advise the administering authority of a notifiable activity being carried out on the land.	s371	31/01/2012	
Power to notify the administering authority that a notifiable activity has been, or is being conducted in, Council's area.	s372(1)	31/01/2012	
Power to notify the administering authority of contamination by a hazardous contaminant.	s372(2)	31/01/2012	
Power as owner of land, to made submissions in response to a notice from the administering authority, that is land is being used for a notifiable activity or is contaminated.	s373	31/01/2012	
Power as the owner of land, to permit a person to carry out a site investigation.	ss 375 and 380	31/01/2012	
Power to conduct or commission a site investigation where requested to by an administering authority.	s376	31/01/2012	
Power as the recipient of a notice, to apply to the administering authority to waive the requirement for a site investigation.	s378(1)	31/01/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Environmental Protection Act 1994</i>	Section	Delegation Date	Condition(s)
Power to provide another site investigation report or to provide further information if requested by the administering authority.	ss 385(1) and 385(2)	31/01/2012	
Power as owner, to consent to another party entering its land to conduct or commission remediation works.	ss 390 and 394	31/01/2012	
Power to conduct or commission remediation works in relation to contaminated land upon request by the administering authority.	s391	31/01/2012	
Power as the recipient of a remediation notice under section 391, to request it be waived.	s392(1)	31/01/2012	
Power as owner of land, to consent to the preparation of a site management plan by a third party.	ss 403 and 404	31/01/2012	
Power to prepare or commission the preparation of a site management plan if requested to by the administering authority.	s405	31/01/2012	
Power as owner of land, to request the administering authority to waive the requirement to prepare a site management plan for contaminated land.	s407	31/01/2012	
Power as owner of land, to consent to a third party entering the land to prepare a site management plan.	s409	31/01/2012	
Power as owner of land, to agree to an amendment to the site management plan made by the administering authority.	s419(1)	31/01/2012	
Power to submit, at the request of the administering authority, a draft amendment of a site management plan.	s419(2)	31/01/2012	
Power as an administering authority, to require a person to provide information for the enforcement and administration of this Act.	s451	31/01/2012	
Power as owner of land, to consent to an authorised person's entry onto the land.	s454	31/01/2012	
Power as an administering authority, to issue a notice that an authorised person will enter land.	ss 454(3)b) and 454(4)	31/01/2012	
Power as an administering authority, to waive payment of costs of investigation or remediation.	s489	31/01/2012	
Power as an administering authority, to make an application to the court for an order against a defendant for costs.	s 501(1)(c)	31/01/2012	
Power as an administering authority, to carry out work or take other action reasonable necessary where a person has failed to comply with an order made under section 502.	s502A(2)	31/01/2012	
Power as an administering authority, to make an application to the Court to remedy or restrain an offence against this Act.	s505	31/01/2012	
Power to exercise all the powers of the chief executive that have been delegated to Council.	s516	31/01/2012	
Power to exercise all the powers of the administering authority (where the administering authority is the chief executive) that have been delegated to Council.	s518(1)	31/01/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Environmental Protection Act 1994</i>	Section	Delegation Date	Condition(s)
Power as an administering authority, to review a decision.	s521(5)	31/01/2012	
Power as a dissatisfied person, to apply for a review of an original decision.	s521	31/01/2012	
Power as a dissatisfied person that has applied for a review under section 521, to apply for a stay of operation of the original decision.	s522	31/01/2012	
Power as a dissatisfied person, to appeal against a decision to the Land Court.	s524	31/01/2012	
Power as an administering authority, to prepare and submit an annual report to the chief executive.	s518(1)	31/01/2012	
Power as an administering authority, to seek advice, comment or information about an application or TEP submission.	s521(5)	31/01/2012	
Power as an administering authority, to investigate the suitability of a person.	s559	31/01/2012	
Power as an administering authority, to change or cancel a condition of an environmental authority.	s620	31/01/2012	
Power as an administering authority, to issue replacement documents.	s621	31/01/2012	

#### 2.4 Environmental Protection Regulation 2008

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Environmental Protection Regulation 2008</i>	Section	Delegation Date	Condition(s)
Power to administer and enforce those provisions of the Act devolved to Council.	ss 98, 99, 100 and 101	31/01/2012	
Power to administer and enforce former environmentally relevant activities devolved to Council.	s156	31/01/2012	
Power as an administering authority, to refund: <ul style="list-style-type: none"> <li>• the application fee for a later application;</li> <li>• the annual fee for a development approval for chemical storage.</li> </ul>	s164	31/01/2012	

**2.7 Local Law No. 1 (Administration) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Law No 1 (Administration) 2011</i>	Section	Delegation Date	Condition(s)
Power to approve application forms for prescribed activities.	s8(1)	21/06/2011	
Power to request further information, documents or materials in support of an application.	s8(3)	21/06/2011	
Power to give applicant written notice.	s8(5)	21/06/2011	
Power to extend the period to provide further information.	s8(6)	21/06/2011	
Power to grant an approval to undertake a prescribed activity.	s9(1)	21/06/2011	
Power to give written notice.	s9(2)	21/06/2011	
Power to give information notice.	s9(4)	21/06/2011	
Power to impose conditions on an approval.	s10	21/06/2011	
Power to accept certificate of third party certifier.	s12	21/06/2011	
Power to give reasonable written notice.	s14(2)	21/06/2011	
Power to approve form of renewal application.	s14(3)	21/06/2011	
Power to give written notice to request further information, documents or materials.	s14(4)	21/06/2011	
Power to decide an application for renewal and give written notice.	s14(6)	21/06/2011	
Power to give an information notice.	s14(8)	21/06/2011	
Power to amend the conditions of an approval.	s14(9)	21/06/2011	
Power to approve form of transfer application.	s15(3)	21/06/2011	
Power to give written notice to request further information, documents or materials.	s15(4)	21/06/2011	
Power to decide whether to grant approval for transfer and give written notice.	s15(7)	21/06/2011	
Power to amend approval conditions.	s15(8)	21/06/2011	
Power to give an information notice.	s15(11)	21/06/2011	
Power to consider and decide application.	s16(3)	21/06/2011	
Power to give written notice.	s16(4)	21/06/2011	
Power to give an information notice.	s16(5)	21/06/2011	
Power to amend approval conditions.	s16(6)	21/06/2011	
Power to give the approval holder a written notice (show cause notice).	s18(2)	21/06/2011	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Law No 1 (Administration) 2011</i>	Section	Delegation Date	Condition(s)
Power to consider submissions and decide whether grounds no longer exist.	s18(3)	21/06/2011	
Power to consider submissions and decide whether ground exists to take the proposed action, and take the action.	s18(4)	21/06/2011	
Power to give an information notice.	s18(5)	21/06/2011	
Power to immediately suspend an approval.	s19(1)	21/06/2011	
Power to take action and make related decisions to effect a suspension of an approval.	s19(2)	21/06/2011	
Power to extend the time for making a review application.	s22(3)	21/06/2011	
Power to review the original decision.	s23(1)	21/06/2011	
Power to give notice of decision.	s23(3)	21/06/2011	
Power to recover cost of action.	s28(4)	21/06/2011	
Power to erect public notice offering reward.	s33	21/06/2011	
Power to waive or partially remit a fee.	s35	21/06/2011	
Power to dispose of forfeited items.	s37(5)	21/06/2011	

### 2.8 Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(2)	21/06/2011	

**2.9 Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(2)	21/06/2011	

**2.10 Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.3 (Establishment r Occupation of a Temporary Home) 2011</i>	Section	Delegation Date	Condition(s)
Power to extend an approval.	Schedule 1, s8(2)	21/06/2011	

**2.11 Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(2)	21/06/2011	

**2.12 Subordinate Local Law No. 1.5 (Keeping of Animals) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.5 Keeping of Animals) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(3)	21/06/2011	

**2.13 Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(3)	21/06/2011	

**2.14 Subordinate Local Law No. 1.7 (Gates and Grids) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.7 (Gates and Grids) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(2)	21/06/2011	

**2.15 Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.7 (Operation of Caravan Parks) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(3)	21/06/2011	

**2.16 Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(3)	21/06/2011	

**2.17 Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.9 (Operation of Public Swimming Pools) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(3)	21/06/2011	



**2.18 Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(2)	21/06/2011	

**2.19 Subordinate Local Law No. 1.13 (Operation of Regulated Activities Regarding Human Remains) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.13 (Operation of Regulated Activities Regarding Human Remains) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(2)	21/06/2011	

**2.20 Subordinate Local Law No. 1.14 (Undertaking regulated Activities on Local Government Controlled Areas and Roads) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.14 (Undertaking regulated Activities on Local Government Controlled Areas and Roads) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(2)	21/06/2011	

**2.21 Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2011</i>	Section	Delegation Date	Condition(s)
Power to determine term of approval.	Schedule 1, s7(1)	21/06/2011	
Power to determine term for renewal or extension of approval.	Schedule 1, s8(1)	21/06/2011	
Power to specify the term of the renewal or extension in the written notice.	Schedule 1, s8(2)	21/06/2011	

**2.22 Local Law No. 2 (Animal Management) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Law No 2 (Animal Management) 2011</i>	Section	Delegation Date	Condition(s)
Power to take reasonable steps to provide notice.	s3(3)	21/06/2011	
Power to take reasonable steps to provide notice.	s11(2)	21/06/2011	
Power to recognise a body to supervise an exhibition or an obedience trial.	s12(3)	21/06/2011	
Power to operate a place of care for animals.	s24	21/06/2011	
Power to dispose of an animal.	s32(1)	21/06/2011	
Power to determine whether the animal will be kept in compliance.	s32(2)	21/06/2011	
Power to determine appropriate disposal.	s32(6)	21/06/2011	
Power to keep a proper record of impounded animals.	s33(1)	21/06/2011	
Power to determine reasonable time and allow access for owner to inspect.	s34(2)	21/06/2011	

**2.23 Subordinate Local Law No. 2 (Animal Management) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No 2 (Animal Management) 2011</i>	Section	Delegation Date	Condition(s)
Power to recognise another incorporated association.	Schedule 1, s5, Column 2	21/06/2011	

**2.24 Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Law No 4 (Local Government Controlled Areas, Facilities and Roads) 2011</i>	Section	Delegation Date	Condition(s)
Power to take reasonable steps to provide notice.	s5(2)	21/06/2011	
Power to take reasonable steps to provide notice.	s6(6)	21/06/2011	
Power to place a notice.	s7(3)	21/06/2011	
Power to place a notice at each public entrance.	s8(4)	21/06/2011	
Power to determine whether land adjoining a road requires fencing.	s9(1)	21/06/2011	
Power to give a compliance notice.	s9(2)	21/06/2011	
Power to adopt a numbering system.	s10(1)	21/06/2011	

**2.25 Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Subordinate Local Law No 4 (Local Government Controlled Areas, Facilities and Roads) 2011</i>	Section	Delegation Date	Condition(s)
Power to establish a fireplace.	Schedule 3, s4, Column 2, (a)	21/06/2011	
Power to approve a fireplace.	Schedule 2, s5, Column 2, (a)	21/06/2011	
Power to establish a waste container or disposal system.	Schedule 2, s5, Column 2, (b)	21/06/2011	
Power to fix a time limit by approval or notice.	Schedule 2, s5, Column 2, (b)	21/06/2011	
Power to require and execute written agreement for entry.	Schedule 2, s5, Column 2, (b)	21/06/2011	
Power to determine and erect sign notifying approval for greater vehicle mass.	Schedule 2, s6, Column 2 (e)	21/06/2011	
Power to determine and erect sign notifying requirements for taking or driving a vehicle onto a landing.	Schedule 2, s6, Column 2 (f)	21/06/2011	
Power to approve a fireplace.	Schedule 2, s8, Column 2, (a)	21/06/2011	
Power to establish a waste container or disposal system.	Schedule 2, s8, Column 2, (b)	21/06/2011	
Power to fix a time limit by approval or notice.	Schedule 2, s8, Column 2, (b)	21/06/2011	
Power to require and execute written agreement for entry.	Schedule 2, s8, Column 2, (b)	21/06/2011	
Power to determine and erect sign notifying authorisation of entry.	Schedule 2, s9, Column (b)	21/06/2011	

**2.26 Animal Management (Cats and Dogs) Act 2008**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Animal Management (Cats and Dogs) Act 2008</i>	Section	Delegation Date	Condition(s)
Power to give identifying information to particular person.	s39	30/10/2012	
Power to recognise a body supervising an exhibition in which a cat or dog is participating.	s42(4)	30/10/2012	
Power to give registration notice.	s49(2)	30/10/2012	
Power to keep registration form and information.	s51	30/10/2012	
Power to recognise a body supervising an exhibition or an obedience trial in which a dog is participating.	s64(1)	30/10/2012	
Power to require applicant to give a stated document or information that is relevant to a permit application.	s74(1)	30/10/2012	
Power to grant or refuse a permit application within a certain time.	s75(1)	30/10/2012	
Power to decide whether desexing is likely to be a serious risk to the health of a dog.	s75(3)	30/10/2012	
Power to impose conditions on the grant of an application for a restricted dog permit.	s75(5)	30/10/2012	
Power to issue a restricted dog permit.	s77	30/10/2012	
Power to issue a decision notice after deciding to refuse a permit application.	s79	30/10/2012	
Power to grant or refuse a renewal application within a certain time.	s84(1)	30/10/2012	
Power to seek further information in deciding an application for a renewal application.	s84(4)(b)	30/10/2012	
Power to: <ul style="list-style-type: none"> <li>if the application is granted, issue a renewed permit; or</li> <li>if the application is refused, issue a decision notice.</li> </ul>	s84(5)	30/10/2012	
Power to amend a restricted dog permit at any time.	s87	30/10/2012	
Power to give a dog owner a proposed declaration notice regarding a dog.	s90	30/10/2012	
Power to withdraw a proposed declaration notice regarding a dog.	s92	30/10/2012	
Power to consider any written representations and evidence within a period stated in a proposed declaration notice and make a regulated dog declaration.	s94	30/10/2012	
Power to destroy a surrendered regulated dog.	s100	30/10/2012	
Power to recover reasonable seizure or destruction costs.	s102	30/10/2012	
Power to give notice of a proposed inspection program.	s114	30/10/2012	
Power to include other information considered appropriate in the general register.	s178(e)	30/10/2012	
Power to authorise an employee to verify a copy of a document.	s198(1)	30/10/2012	

## 2.27 Building Act 1975

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Building Act 1975</i>	Section	Delegation Date	Condition(s)
Power to, under IDAS to receive, assess and decide a building development application.	s51(2)(a)	30/10/2012	
Power to appoint or employ a private certifier or another building certifier.	s51(2)(b)	30/10/2012	
Power to appoint or employ a building certifier where asked in writing by the nominated owner and the building work has not been certified.	s51(3)	30/10/2012	
Power to issue a building development approval.	s52	30/10/2012	
Power in carrying out functions under the <i>Building Act</i> , to accept and, without checking, rely and act on a certificate or other document made by or given to the building certifier.	s53(2)	30/10/2012	
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 <i>Sustainable Planning Act</i> .	s54	30/10/2012	
Power to, as assessment manager, in relation to undecided building development applications and lapsed building development approvals, to resume or start an application for building development approval at any stage of IDAS considered appropriate.	s55	30/10/2012	
Power to, as the holder of a registered easement or statutory covenant, to consent to building work.	s65	30/10/2012	
Power to give a private certifier a document acknowledging receipt of the fee mentioned in subsection 86(1)(c).	s87	30/10/2012	
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.	s92(2)	30/10/2012	
Power to use all or part of any security given to the local government for the carrying out of the building work.	s92(5)	30/10/2012	
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.	s93(1)	30/10/2012	
Power to consult with a private certifier with regard to further extensions of the period under SPA, s 341 (When approval lapses if development not started).	s97(2)	30/10/2012	
Power to grant or refuse BCA classification change or use change, if owner of building applies.	s111	30/10/2012	
Power as the assessment manager, to take enforcement action against an owner contravening section 114 of the Act.	s117	30/10/2012	
Power to approve the use of a building, other than a class 1, 2, 3 or 4 building, for residential purposes.	s119	30/10/2012	
Power to give the owner of a building a certificate of classification for the building if built before 30 April 1998 and the owner applies.	s123	30/10/2012	
Power to give a building certifier a notice ('show cause notice').	s206(1)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Building Act 1975</i>	Section	Delegation Date	Condition(s)
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.	s207	30/10/2012	
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.	s208(1)	30/10/2012	
Power to notify the Queensland Building and Construction Commission of its application to the Queensland Civil and Administrative Tribunal.	s210	30/10/2012	
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).	s221(2)	30/10/2012	
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).	s221(3)	30/10/2012	
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.	s222(2)	30/10/2012	
Power to inspect budget accommodation buildings at least once every 3 years.	s228	30/10/2012	
Power, as a local government, on application by the owner of a Residential Care Building (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.	231AL	29/07/2014	
Power to give an applicant a show cause notice.	s242(2)	30/10/2012	
Power to consider any representations made under the show cause notice and give a further notice (a revocation notice) to the applicant, revoking the decision previously given.	s242(3)	30/10/2012	
Power to give the owner of the regulated pool a show cause notice.	s245E(2)	30/10/2012	
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.	s245E(3)	30/10/2012	
Power to make copy of exemption available for inspection and purchase as if it were a document that chapter 9, part 6 of SPA must be available for inspection and purchase.	s245FA(2)	30/10/2012	
Power to inspect a regulated pool for compliance when a pool safety complaint notice, or section 245I or 245UA notice is received.	s246ADA(2)	30/10/2012	
Power to take necessary enforcement action to ensure the pool complies with the pool safety standard or fencing standards for the pool.	s246ADA(5)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Building Act 1975</i>	Section	Delegation Date	Condition(s)
Power to cancel pool safety certificate for a regulated pool.	s246AF	30/10/2012	
Power to give a show cause notice before cancelling a pool safety certificate.	s246AG(1)	30/10/2012	
Power to consider submissions and decide whether to cancel a pool safety certificate.	s246AG(5)	30/10/2012	
Power to give a notice ('enforcement notice') to the owner of a building, structure or building work.	s248(1)	30/10/2012	
Power to give an enforcement notice to a person who does not comply with a particular matter in the <i>Building Act 1975</i> .	s248(2)	30/10/2012	
Power to give a person a show cause notice.	s248(3)	30/10/2012	
Power to authorise a person to make a complaint for an offence against the <i>Building Act 1975</i> .	s256	30/10/2012	
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.	s262	30/10/2012	

## 2.28 Food Act 2006

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Food Act 2006</i>	Section	Delegation Date	Condition(s)
Power to administer and enforce the following provisions of the <i>Food Act 2006</i> : (a) section 39(1); (b) chapters 3 and 4; (c) chapter 6, other than section 159.	s23(1)	30/10/2012	
Power to administer and enforce sections 32, 33, 35 and 36 of the <i>Food Act 2006</i> , in conjunction with the State.	s24	30/10/2012	
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 <i>Food Act 2006</i> .	s25(1)(a)	30/10/2012	
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 <i>Food Act 2006</i> .	s25(1)(b)	30/10/2012	
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 <i>Food Act 2006</i> .	s28	30/10/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Food Act 2006</i>	Section	Delegation Date	Condition(s)
Power to consider and grant, or refuse to grant, an application for a licence to carry on a licensable food business.	s55	30/10/2012	
Power to obtain and consider the written advice of an auditor about whether a food safety program complies with section 98.	s56(2)	30/10/2012	
Power to decide whether premises are suitable for carrying on a licensable food business.	s58	30/10/2012	
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.	s59(1)(a)	30/10/2012	
Power to require the applicant to give Council further information or documents that Council reasonably requires.	s59(1)(b)	30/10/2012	
Power to extend the time needed to make a decision about the application.	s62(2)	30/10/2012	
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.	s62(3)	30/10/2012	
Power to issue a provisional licence, at any time prior to deciding an application for a licence.	s64	30/10/2012	
Power to decide the term of the licence. (Note: not more than 3 years).	s67	30/10/2012	
Power to decide the term of the provisional licence. (Note: not more than 3 months).	s68(1)	30/10/2012	
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).	s68(2)	30/10/2012	
Power to impose reasonable conditions on the licence.	s69(1)(e)	30/10/2012	
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> .	s72(3)	30/10/2012	
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> .	s73(3)	30/10/2012	
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> .	s74(3)	30/10/2012	
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).	s75(1)	30/10/2012	
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).	s77(4)	30/10/2012	
Power to give a show cause notice.	s79(2)	30/10/2012	
Power to consider representations about a show cause notice.	s80(2)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Food Act 2006</i>	Section	Delegation Date	Condition(s)
Power to end the show cause process after considering representations made by the licensee.	s81	30/10/2012	
Power to suspend a licence after considering representations (if any).	s82(2)(a)	30/10/2012	
Power to cancel a licence after considering representations (if any).	s82(2)(b)	30/10/2012	
Power to suspend a licence immediately.	s83(1)	30/10/2012	
Power to give an information notice and show cause notice, as required, before suspending a licence pursuant to section 83(1).	s83(2)	30/10/2012	
Power to, 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).	s90(1)	30/10/2012	
Power to, 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	s91(2)	30/10/2012	
Power to, 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.	s92(2)	30/10/2012	
Power to consider and grant, or refuse to grant, an application for a replacement licence.	s97	30/10/2012	
Power to consider an application and to accredit, or refuse to accredit, the food safety program.	s103(1)	30/10/2012	
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.	s103(2)	30/10/2012	
Power to, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	s105(1)	30/10/2012	
Power to give an information notice to the applicant where the application is refused under section 107.	s107(4)	30/10/2012	
Power to decide that more time is needed to make a decision about the application.	s108(1)	30/10/2012	
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.	s108(3)	30/10/2012	
Power to, after accrediting an applicant's food safety program, to decide how often the program must have compliance audits.	s109(2)	30/10/2012	
Power to determine changes to the frequency of compliance audits for a food safety program accredited by Council.	s110	30/10/2012	
Power to consider an application and approve, or refuse to approve, the amendment of an accredited food safety program.	s112(4)	30/10/2012	
Power to, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	s113(1)	30/10/2012	
Power to direct the holder of a Council accredited food safety program to amend the program.	s114	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Food Act 2006</i>	Section	Delegation Date	Condition(s)
Power to give the holder of a food safety program a show cause notice, and to decide the term of the show cause period.	s118	30/10/2012	
Power to consider representations about a show cause notice.	s119	30/10/2012	
Power to, after considering written representations by the holder of the accredited food safety program, take no further action.	s120	30/10/2012	
Power to cancel the accreditation of a food safety program.	s121(2)	30/10/2012	
Power to conduct a non-conformance audit of a food safety program.	s160(2)	30/10/2012	
Power to approve an improvement notice where remedying the contravention would be likely to stop the food business from operating.	s210(2)	30/10/2012	
Power to, as the 'reviewer', review an original decision under Chapter 3 or Chapter 4 of the <i>Food Act 2006</i> .	s237	30/10/2012	
Power as reviewer, to, at any time, extend the time to apply for a review.	s238(2)	30/10/2012	
Power as reviewer, to, after reviewing the original decision, make a further decision to: <ul style="list-style-type: none"> <li>confirm the original decision; or</li> <li>amend the original decision; or</li> <li>substitute another decision for the original decision.</li> </ul>	s239	30/10/2012	

### 2.30 Land Protection (Pest and Stock Route Management) Act 2002

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Protection (Pest and Stock Route Management) Act 2002</i>	Section	Delegation Date	Condition(s)
Power to cause a pest management plan for declared pests to be drafted for Council's local government area that complies with the requirements of the <i>Land Protection (Pest and Stock Route Management) Act</i> .	ss. 25, 26, 27, 28 & 29	30/10/2012	
Power to review, or renew, its pest management plan when the chief executive officer of the local government considers it appropriate.	s33(1)	30/10/2012	
Power to amend a pest management plan and amend the pest management plan in response to feedback from the Minister.	s34	29/07/2014	
Power to issue a 'pest control notice' pursuant to the <i>Land Protection (Pest and Stock Management) Act</i> .	s78	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Protection (Pest and Stock Route Management) Act 2002</i>	Section	Delegation Date	Condition(s)
Power to consider and either grant or refuse an application to extend the compliance period for a 'pest control notice'.	s79	30/10/2012	
Power to issue an entry notice if the owner has failed to comply with a 'pest control notice', including authorising a pest controller to enter the owner's land and take the action stated in the notice.	ss80-81	30/10/2012	
Power to ask the person responsible for registering title to the land and dealings affecting the land to register the charge.	s85	30/10/2012	
Power to prepare a stock route network management plan.	ss105-109	30/10/2012	
Power to review, or renew, its stock route network management plan when the chief executive officer of the local government considers it appropriate.	s113	30/10/2012	
Power to by written notice, ask the applicant of a stock route permit to give further reasonable information or documents about the application by the reasonable date stated in the notice and refuse the application if the applicant does not comply.	s117	30/10/2012	
Power to grant or refuse an application for a stock route agistment permit.	s118	30/10/2012	
Power to grant or refuse an application to renew a stock route agistment permit.	s123	30/10/2012	
Power to impose on a stock route agistment permit the reasonable conditions it decides.	s126	30/10/2012	
Power to amend the conditions of a stock route agistment permit.	s127	30/10/2012	
Power to cancel a stock route agistment permit.	s128	30/10/2012	
Power to require the holder of a stock route agistment permit to return the permit.	s130	30/10/2012	
Power to ask the applicant to give the further reasonable information or documents about the application, and to refuse the application if the applicant does not comply.	s135	30/10/2012	
Power to grant or refuse an application for a stock route travel permit.	s136	30/10/2012	
Power to require a stock route travel permit holder who gives a notice of the correct particular to return the permit.	s141	30/10/2012	
Power to impose on a stock route travel permit the reasonable conditions it decide.	s142	30/10/2012	
Power to amend a stock route travel permit.	s143	30/10/2012	
Power to cancel a stock route travel permit.	s144	30/10/2012	
Power to require the holder of a stock route travel permit to return the permit for an amendment under a decision made under certain sections of the Act.	s146	30/10/2012	
Power to consider it necessary to build a stock-proof fence on the boundary of land adjoining a stock route network.	s148	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Protection (Pest and Stock Route Management) Act 2002</i>	Section	Delegation Date	Condition(s)
Power to issue a fencing notice.	s149	30/10/2012	
Power to give a mustering notice.	s156	30/10/2012	
Power to manage and conserve pasture on its stock route network.	s160	30/10/2012	
Power to require an owner to reduce the number of stock on the land.	s161(2)	30/10/2012	
Power to consent to the burning or removal of pasture.	s180	30/10/2012	
Power to take action to comply with any notice given by the Minister in relation to the administration and enforcement of the <i>Land Protection (Pest and Stock Route Management) Act</i> .	s184	30/10/2012	
Power to provide any information that the Minister may required in relation to: (a) details of amounts payable to Council under the <i>Land Protection (Pest and Stock Route Management) Act</i> ; and (b) functions or powers performed or exercised or required to be performed or exercised by Council under the <i>Land Protection (Pest and Stock Route Management) Act</i>	s188	30/10/2012	
Power to appoint an authorised person to monitor compliance with the <i>Land Protection (Pest and Stock Route Management) Act</i>	s241(1)	30/10/2012	
Power to cause to be published between 28 and 14 days before the commencement of a pest survey program, details required by the <i>Land Protection (Pest and Stock Route Management) Act</i>	s242	30/10/2012	

### 2.31 Local Government Act 2009

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Government Act 2009</i>	Section	Delegation Date	Condition(s)
Power to:- <ul style="list-style-type: none"> <li>• review whether each of its divisions has a reasonable proportion of electors; and</li> <li>• give the electoral commissioner and the Minister written notice of the results of the review</li> <li>• no later than 1 March in the year before the quadrennial elections.</li> </ul>	s16	28/05/2013	
Power to make submissions to the change commission in response to a request for submissions in relation to a proposed local government change.	s19	28/05/2013	
Power to consult with relevant government entities about the overall State interest in a proposed local law.	s29A(3)	28/05/2013	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Government Act 2009</i>	Section	Delegation Date	Condition(s)
Power to apply a code of competitive conduct to a business activity.	s47	29/07/2014	
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.	s60	28/05/2013	Subject to compliance with policies, plans, strategies and budgets adopted by Council.
Power to give the owner of land a notice of intention to acquire land.	s61	28/05/2013	
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.	s61(6)	28/05/2013	
Power to decide a claim for compensation for a notice of intention to acquire land.	s62	28/05/2013	
Power to acquire land after service of notice of intention to acquire instead of paying compensation for injurious affection.	s64	28/05/2013	
Power to assess compensation for acquisition of land.	s64	28/05/2013	Power may be only on-delegated to executive officers
Power to serve notice of decision not to proceed to acquire land the subject of a notice of intention to acquire.	s65(3)	28/05/2013	
Power to withdraw notice of intention to acquire land and 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.	s65(4)	28/05/2013	
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.	s66	28/05/2013	Power may be only on-delegated to executive officers
Power to acquire land that adjoins a road for use as a footpath.	s67	28/05/2013	Council must be advised of all acquisitions.
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.	s69(1)	28/05/2013	Power may only be exercised in accordance with the Council Road Closures Policy.  Council must be notified at the next meeting if any bridge closures or load limits imposed on bridges or any other road infrastructure.

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Government Act 2009</i>	Section	Delegation Date	Condition(s)
Power to close a road to all traffic, or traffic of a particular class: (a) 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).	s69(2)	28/05/2013	Power may only be exercised in accordance with the Council Road Closures Policy.  Power excludes the power to implement a permanent closure to traffic.
Power to do everything necessary to stop traffic using the road after it is closed.	s69(4)	28/05/2013	Signage must be erected in accordance with the Manual of Uniform Traffic Control Devices
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.	s69(5)	28/05/2013	
Power to make a temporary road through land adjoining the road to be used while the road is being remade or repaired.	s70(2)	28/05/2013	But only where the owner/occupier has given prior consent under s70(3)
Power to do everything necessary to stop traffic using the road after it is closed.	s70(3) and (4)	28/05/2013	
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> .	s70(7) and (8)	28/05/2013	
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> .	s71	28/05/2013	
Power to agree the amount of compensation payable under section 71 of the <i>Local Government Act 2009</i> .	s71	28/05/2013	
Power to assess impact on roads of specified activities under section 72 of the <i>Local Government Act 2009</i> .	s72	28/05/2013	
Power to require entity conducting activity on road to provide information under section 72 of the <i>Local Government Act 2009</i> .	s72	28/05/2013	
Power to give the entity conducting an activity a direction about the use of the road to lessen the impact and to require the entity to carry out works to lessen the impact or to pay an amount as compensation for the impact.	s72(3)	28/05/2013	
Power to categorise the roads in the local government area according to the surface of the road.	s73	28/05/2013	Subject to Council Provision of Road Network Policy
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.	s74	28/05/2013	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Government Act 2009</i>	Section	Delegation Date	Condition(s)
Power to approve the carrying out of works on a road or interference with a road or its operation subject to conditions.	s75	28/05/2013	
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.	s77(1) and (2)	28/05/2013	
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> .	s77(3) and (4)	28/05/2013	
Power to give a notice requiring the owner of a property to perform sewerage installation works.	s78(4)	28/05/2013	
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.	s79	28/05/2013	
Power to apply to the Minister for approval to make a major policy decision during the caretaker period for an election for the local government.	s90B	28/05/2013	For CEO: Power is to be exercised only for major policy decisions about entering into contracts above the prescribed value.  For Mayor: Power is to be exercised only for appointing an acting CEO in conjunction with s195.
Power to register a charge over land for overdue rates and charges under section 95 of the <i>Local Government Act 2009</i>	s95	28/05/2013	
Power to lodge documents with the Registrar of Titles for release of the charge if overdue rates and charges are paid.	s95	28/05/2013	
Power to maintain public liability insurance and professional indemnity insurance.	s107(1)	28/05/2013	
Power to enter into a contract of insurance with WorkCover Queensland or another insurer to cover its councillors.	107(3)	28/05/2013	
Power to give the public notice of the disbursement of funds not provided for in the local government's budget.	s110	28/05/2013	
Power to give or to attempt to give an occupier of a property written notice of the local government's intention to enter the property.	s133	28/05/2013	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Government Act 2009</i>	Section	Delegation Date	Condition(s)
Power to assess, agree and pay compensation for damage or loss incurred by a person because of the exercise, or purported exercise, of a power under division 1 part 2 chapter 5 of the <i>Local Government Act 2009</i> .	s137	28/05/2013	
Power to give a remedial notice or a reasonable entry notice.	s138AA(2), (3) and (4)	28/05/2013	
Power to authorise an employee or agent of the local government to act as a local government worker.	s138(4)	28/05/2013	
Power to recover as a debt the amount that the local government properly and reasonably incurs in taking the action an owner and/or occupier of property failed to undertake per a properly issued remedial notice.	s142(4)	28/05/2013	
Power to recover a debt payable under section 142 of the <i>Local Government Act 2009</i> as if the debt were an overdue rate.	s142 (7) and (8)	28/05/2013	
Power to give reasonable notice to the owner and the occupier of rateable land of entry by a local government worker to search for and remove materials.	s143	28/05/2013	
Power to agree and to pay the amount of compensation payable to a person who incurs damage or loss during the course of the exercise, or purported exercise, of a power under division 2, part 2, chapter 5 of the <i>Local Government Act 2009</i> .	s147	28/05/2013	
Power to appoint a person to the position of Acting Chief Executive Officer during any period, or all periods, when the Chief Executive Officer is absent from duty or can not, for another reason, perform the Chief Executive Officer's duties.	s195	28/05/2013	The Chief Executive Officer may only appoint an Acting Chief Executive Officer who is an Executive Officer of Council.  The Chief Executive Officer must notify all Councillors when an Acting Chief Executive Officer appointment is made.
Power to enter into an arrangement of a councillor under which – 1. the councillor agrees to forgo a percentage or amount of the remuneration that the councillor is entitled to as a councillor; and 2. the local government agrees to contribute the percentage or amount to the superannuation scheme for the councillor.	s226(4)	28/05/2013	
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.	s228(4)	28/05/2013	
Power to sign a document on behalf of a local government as a delegate of the local government.	s236(b)	28/05/2013	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Local Government Act 2009</i>	Section	Delegation Date	Condition(s)
Power to effect substituted service.	s239	28/05/2013	
Power to do anything that is necessary or convenient for performing the responsibilities of the local government under a Local Government Act.	s262	28/05/2013	

### 2.32 Local Government Regulation 2012

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Local Government Regulation 2012</i>	Section	Delegation Date	Condition(s)
Power to decide charges to persons for goods or services and to decide the required revenue under schedule 3, section 2.	s33(3)	28/05/2013	
Power to take all necessary steps for: (a) construction on, maintenance of or improvement of the land; and (b) regulation of the use of the land, where the land is subject to a public thoroughfare easement.	s63(3)	28/05/2013	
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 along the boundary between two or more local government areas and partly in each of the areas.	s64	28/05/2013	
Power to identify, in any way considered appropriate, parcels of rateable land to which a minimum amount of general rates apply.	s77(2)	28/05/2013	
Power to decide the rating category to which each parcel of rateable land in the local government area belongs	s81(4) and (5)	28/05/2013	
Power to decide what rating category land should be in where: (a) the local government discovers that land has inadvertently not been categorised; or (b) land becomes rateable land; or (c) the local government considers that the rating category of a parcel of land should be changed, in view of the description of each rating category; or (d) 2 or more parcels of rateable land are amalgamated into a single parcel of rateable land.	s82	28/05/2013	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Local Government Regulation 2012</i>	Section	Delegation Date	Condition(s)
Power to authorise a person as a qualified person for chapter 4 part 5 division 2 of the <i>Local Government Regulation 2012</i> .	s83(2)(b)	28/05/2013	
Power to allow a longer period than prescribed for the owner of land to object to the categorisation of the owners land for rating purposes.	s88(4)(d)(ii)	28/05/2013	
Power to allow a longer period within which an owner of rateable land must give an objection notice.	s90(5)(b)	28/05/2013	
Power to determine a period considered appropriate for the issue of a rates notice.	s107(1)	28/05/2013	
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.	s110	28/05/2013	
Power, where 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 under that Act.	s111	28/05/2013	
Power, where 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.	s112	28/05/2013	
Power, where 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.	s113	28/05/2013	
Power where: <ul style="list-style-type: none"> <li>(a) a person is entitled to occupy land under a lease, licence or permission given by the State; and</li> <li>(b) the person loses the entitlement, including, for example, because the lease, licence or permission expires or is surrendered or forfeited.</li> </ul> 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.	s114	28/05/2013	
Power where rates or charges are paid before they are adjusted, to— <ul style="list-style-type: none"> <li>(a) refund the overpaid amount of rates or charges if the rates or charges are reduced; or</li> <li>(a) (b) recover the amount of rates or charges owing if the rates or charges are increased.</li> </ul>	s115	28/05/2013	
Power to grant an application to defer the payment of rates or charges established by local government resolution under section 121(b).	s122(4)	28/05/2013	
Power to decide if a rate payer has been prevented, by circumstances beyond their control, from paying the rates or charges in time to get a discount, the local government may still allow the discount.	s130(10)	28/05/2013	Subject to compliance with Council Policy: Rates Discount
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.	s131	28/05/2013	
Power to recover overdue rates or charges by bringing Court proceedings for a debt.	s134	28/05/2013	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Local Government Regulation 2012</i>	Section	Delegation Date	Condition(s)
Power, where the local government has decided by resolution to sell land for overdue rates and charges, to as soon as practicable, give all interested parties a notice of intention to sell the land.	s140(3)	28/05/2013	
Power to start the procedures under section 76 for selling the land within 6 months after the local government gives the notice of intention to sell the land.	s141(2)	28/05/2013	
Power to perform all procedures required of local governments under S142 for the selling of land for overdue rates or charges	s142	28/05/2013	
Power to set a reserve price for the sale by auction of land for overdue rates or charges.	s143(1)	28/05/2013	
Power to enter into negotiations with the highest bidder at the auction to sell land for overdue rates or charges and to form an agreement to sell the land.	s143(2)	28/05/2013	
Power, where land is taken to have been sold at auction to the local government under section 143(4), to give the registrar of titles a general request form.	s144	28/05/2013	
Power, if land is sold at auction but is not taken to be sold at auction to the local government under section 143(4), to give the registrar of titles an appropriate form stating— (a) that the land has been sold under this division; and (b) the full description of the land; and (c) the full name and address of the purchaser of the land; and (d) the purchase price of the land.	s145	28/05/2013	
Power to apply the proceeds of sale of land for overdue rates or charges in accordance with Section 146.	s146	28/05/2013	
Power to decide any other information considered appropriate for inclusion in a land record.	s154(2)(e)	28/05/2013	
Power to give a grant to a community organisation in the public interest and consistent with the local government's community grants policy.	s194	28/05/2013	
Power to spend money on entertainment or hospitality consistent with the local government's entertainment and hospitality policy.	s196(2)	28/05/2013	1 Subject to compliance with Council Policy: Entertainment and Hospitality 2 Subject to compliance with Council Policy: Procurement 3 Expenditure must be approved by Council or allowed for in the Budget adopted for the current financial year

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Local Government Regulation 2012</i>	Section	Delegation Date	Condition(s)
Power to spend money on advertising in the public interest and consistent with the local government's advertising spending policy.	s197(2)	28/05/2013	1 Subject to compliance with Council Policy: Advertising Spending 2 Subject to compliance with Council Policy: Procurement 3 Expenditure must be approved by Council or allowed for in the Budget adopted for the current financial year
Power to transfer money from a trust fund.	s201	28/05/2013	
Power to agree to a date with the Auditor-General by which the financial statements must be given to the Auditor-General.	s212(3)	28/05/2013	
Power to invite written quotes for a medium-sized contract worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year.	s225(1)	28/05/2013	Subject to compliance with Council Policy: Procurement
Power to decide to accept a quote or to decide not to accept any of the quotes it receives for a medium-sized contract worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year.	s225(3) and (4)	28/05/2013	
Power to decide to accept a quote or to decide not to accept any of the quotes it receives for a medium-sized contract worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year.	s227 and s228	28/05/2013	Subject to compliance with Council Policy: Procurement
Power to invite written tenders for a large-sized contract (worth more than \$200,000.00 GST exclusive in a financial year) or a valuable non-current asset contract or to offer a non-current asset for sale by auction.	s227 and s228	28/05/2013	Subject to compliance with Council Policy: Procurement
Power to invite expressions of interest, prepare a short list and invite written tenders for a large size contractual arrangement worth in excess of \$200,000.00 GST exclusive or a valuable non-current asset contract.	s228	28/05/2013	Subject to compliance with Council Policy: Procurement
Power to decide to accept a tender or not to accept any tenders receives for a large size contractual arrangement worth in excess of \$200,000.00 GST exclusive or a valuable non-current asset contract.	s228(8) and (9)	28/05/2013	1 Subject to compliance with Council Policy: Procurement 2 Expenditure must be approved by Council or allowed for in the adopted Budget

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Local Government Regulation 2012</i>	Section	Delegation Date	Condition(s)
Power to enter into a medium-sized or large-sized contract for services with a person on an approved contractor list.  A medium-sized contract is worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year. A large-sized contract is worth in excess of \$200,000.00 GST exclusive in a financial year.	s231(2)	28/05/2013	1 Subject to compliance with Council Policy: Procurement 2 Expenditure must be approved by Council or allowed for in the adopted Budget
Power to develop an approved contractor list for medium-sized contractual arrangement or large-sized contractual arrangement for services.  A medium-sized contract is worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year. A large-sized contract is worth in excess of \$200,000.00 GST exclusive in a financial year.	s231(4)	28/05/2013	Subject to compliance with Council Policy: Procurement
Power to establish a preferred supplier arrangement for medium-sized or large-sized contracts by inviting tenders.  A medium-sized contract is worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year. A large-sized contract is worth in excess of \$200,000.00 GST exclusive in a financial year.	s232	28/05/2013	Subject to compliance with Council Policy: Procurement
Power to enter into a medium-sized contract or a large-sized contract for goods or services with a preferred supplier under a preferred supplier arrangement.  A medium-sized contract is worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year. A large-sized contract is worth in excess of \$200,000.00 GST exclusive in a financial year.	s232(2)	28/05/2013	1 Subject to compliance with Council Policy: Procurement 2 Expenditure must be either allowed for in the adopted Budget or approved by Council at its next available meeting
Power to enter into a medium-sized contract or large-sized contract for the supply of goods or services with a supplier from a register of pre-qualified suppliers.  A medium-sized contract is worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year. A large-sized contract is worth in excess of \$200,000.00 GST exclusive in a financial year.	s232(2)	28/05/2013	1 Subject to compliance with Council Policy: Procurement 2 Expenditure must be approved by Council or allowed for in the adopted Budget
Power to establish a register of pre-qualified suppliers of particular goods or services for medium-sized or large-sized contracts for the supply of goods and services, including the power to assess whether a supplier has the technical, financial and managerial capability necessary to perform contracts on time and in accordance with agreed requirements for inclusion in a register of pre-qualified suppliers.  A medium-sized contract is worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year. A large-sized contract is worth in excess of \$200,000.00 GST exclusive in a financial year.	s232(3) and (4)	28/05/2013	Subject to compliance with Council Policy: Procurement

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Local Government Regulation 2012</i>	Section	Delegation Date	Condition(s)
Power to enter into a contract for goods and services under an LGA arrangement.	s234(1)	28/05/2013	1 Subject to compliance with Council Policy: Procurement 2 Expenditure must be either allowed for in the adopted Budget or approved by Council at its next available meeting
Power to enter into a medium-sized contract or large-sized contract without first inviting written quotes or tenders in circumstances specified in section 235 <i>Local Government Regulation 2012</i> .  A medium-sized contract is worth between \$15,000.00 and \$200,000.00 GST exclusive in a financial year. A large-sized contract is worth in excess of \$200,000.00 GST exclusive in a financial year.	s235	28/05/2013	1 Subject to compliance with Council Policy: Procurement 2 Expenditure must be either allowed for in the adopted Budget or approved by Council at its next available meeting
Power to dispose of a valuable non-current asset other than by tender or auction in circumstances specified in section 236 <i>Local Government Regulation 2012</i> .	s236	28/05/2013	Subject to compliance with Council Policy: Disposal of Council Assets
Power to comply with statutory obligations by publishing the relevant details of a contractual arrangement worth \$200,000.00 or more as soon as practicable.	s237	29/07/2014	
Power to power to make, amend or discharge a contract.	s238	28/05/2013	1 Subject to compliance with Council Policy: Procurement 2 Expenditure must be either allowed for in the adopted Budget or approved by Council at its next available meeting
Power to allow a councillor to take part in a meeting by teleconferencing.	s276(2)	28/05/2013	CEO and Mayor only.
Power to publish a notice of the days and times of the local government's ordinary meetings and its standing committees' ordinary meetings in a newspaper circulating generally in the local government area and on the local government's website.	s277(1) and (2)	28/05/2013	
Power to immediate notify of any change to the dates and times mentioned in section 277(1) and section 277(2) in the same way as these dates were previously notified.	s277(4)	28/05/2013	
Power to publish the list of items to be discussed at a meeting of the local government, including details or documents relating to an item, on the local government's website	s277(6)	28/05/2013	
Power to give written notice to the auditor general and the police of missing property of the local government which has a total value of \$1,000.00 or more.	s307A	21/01/2014	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Local Government Regulation 2012</i>	Section	Delegation Date	Condition(s)
Power to decide charges for business activities to which Council has decided to apply the code of competitive conduct.	Schedule 3 Section 2	28/05/2013	
Power to make an allocation of administrative and overhead costs to each relevant activity having regard to all of a local government's relevant activities.	Schedule 4 Section 5	28/05/2013	
Power to decide the basis for depreciation.	Schedule 4 Section 7	28/05/2013	
Power to work out tax equivalents for Commonwealth or State taxes a local government is not liable to pay as a local government.	Schedule 4 Section 8	28/05/2013	
Power to decide the amount for the return on capital used by a local government in conducting a relevant activity.	Schedule 4 Section 10	28/05/2013	

### 2.33 Plumbing and Drainage Act 2002

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Plumbing and Drainage Act 2002</i>	Section	Delegation Date	Condition(s)
Power to carry out a compliance assessment of plans or work in relation to regulated work by or for a public sector entity and, if satisfied, issue a compliance permit if it is a plan and a compliance certificate if it is for a work.	s84	30/10/2012	
Power to respond to a compliance request for compliance assessment of a plan for compliance assessable work including requesting further information, deciding the request and imposing reasonable and relevant conditions.	s85	30/10/2012	
Power to assess and decide all requests for compliance assessment for regulated work according to the provisions of the <i>Plumbing and Drainage Act 2002</i> and <i>Standard Plumbing and Drainage Regulation 2003</i> .	s86	30/10/2012	
Power to decide not to assess regulated work or on-site sewerage work if an approved person for the assessment gives Council a notice in the approved form verifying that the work complies with the relevant compliance permit and the <i>Standard Plumbing and Drainage Regulation 2003</i> .	s86(6)	30/10/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Plumbing and Drainage Act 2002</i>	Section	Delegation Date	Condition(s)
Power to ask, after assessing compliance assessable work or after a compliance notice is given for on-site sewerage work, for a plan of the assessed work.	s86(7)	30/10/2012	
Power to ask a person who has completed compliance assessable work in a remote area to supply a plan of the completed work.	s86A(3)(b)	30/10/2012	
Power to replace a compliance certificate with a certificate that has different conditions for the ongoing operation, maintenance or testing of a relevant greywater use facility or on-site sewerage facility.	s86D	30/10/2012	
Power to issue a written notice requiring a former holder of a compliance certificate for testing purposes to remove all or a stated part of a greywater use facility or on-site sewerage facility.	s86E	30/10/2012	
Power to amend any compliance certificate for work for testing purposes if it is necessary or desirable due to changes in a relevant chief executive's approval.	s86G	30/10/2012	
Power, as a relevant entity, to assess and give the Plumbing Industry Council, owner or another person who has requested the work be carried out notice of the completion of notifiable work.	s87		
Power to assess minor work prescribed under the <i>Standard Plumbing and Drainage Regulation 2003</i> as notifiable minor work.	s87(6)	30/10/2012	
Power to administer the <i>Standard Plumbing and Drainage Regulation</i> for Council's area, or those areas not under Council's control that it has been requested to administer by the entity that has control of the area.	s89	30/10/2012	
Power to appoint those individuals that have the qualifications and experience prescribed under the <i>Standard Plumbing and Drainage Regulation 2003</i> as an inspector for the purposes of the <i>Plumbing and Drainage Act 2002</i> .	s107	30/10/2012	
Power to issue an inspector's instrument of appointment with or without conditions limiting the inspector's powers under the <i>Plumbing and Drainage Act 2002</i> .	s108	30/10/2012	
Power to issue an identity card to each inspector appointed under section 107 of the <i>Plumbing and Drainage Act 2002</i> .	s109	30/10/2012	
Power to issue show causes notices before a local government gives a person an enforcement notice under section 116(1)(a)(ii) to (iv) or (2) of the <i>Plumbing and Drainage Act 2002</i> .	s115	30/10/2012	
Power to issue an enforcement notice to the owner of premises requiring the owner to do a stated thing.	s116(1)	30/10/2012	
Power to issue an enforcement notice to a person who has performed plumbing or drainage work requiring the person to do a stated thing.	s116(2)	30/10/2012	
Power to give an enforcement notice to the owner or occupier of the premises to install a backflow prevention device.	s117(2)(a)	30/10/2012	
Power to give an enforcement notice to the owner or occupier of the premises to register a backflow prevention device that is required to be registered under the <i>Standard Plumbing and Drainage Regulation 2003</i> .	s117(2)(b)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Plumbing and Drainage Act 2002</i>	Section	Delegation Date	Condition(s)
Power to give an enforcement notice to the owner or occupier of the premises to have a backflow prevention device inspected, tested and if necessary repaired or replaced by a licensee licensed to do the work.	s117(2)(c)	30/10/2012	
Power to authorise a person to dismantle or take away all or part of a grey-water treatment plant.	s127A	30/10/2012	
Power to authorise a person to dismantle or take away all or part of an on-site sewerage facility.	s128	30/10/2012	
Power to approve the disposal of the contents of a greywater treatment plant into the infrastructure of the sewerage service provider for the area in which the plant is located.	s128OA	30/10/2012	
Power to approve the disposal of the contents (other than effluent) of an on-site sewerage facility that has not been installed only for testing purposes.	s128P(2)	30/10/2012	
Power to approve the disposal of effluent from an on-site sewerage facility that has not been installed only for testing purposes.	s128P(4)	30/10/2012	
Power to keep a register of details of on-site sewerage and greywater use facilities installed in the local government area for which Council has given a compliance certificate.	s143A	21/01/2014	
Power to monitor greywater use facilities in Council's local government area.	s143B	30/10/2012	
Power to monitor an on-site sewerage facility installed for testing purposes in seweraged areas in Council's local government area.	s143C	30/10/2012	

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

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Public Health (Infection Control for Personal Appearance Services) Act 2002</i>	Section	Delegation Date	Condition(s)
Power to administer and enforce the Act for Council's area.	s9	30/10/2012	
Power to consider all applications for licences, and determine whether to grant or refuse the application.	s33	30/10/2012	
Power to grant an application for a licence only if satisfied— (a) the applicant is a suitable person to hold a licence; and (a) the premises at which the higher risk personal appearance services are to be provided are suitable for providing the services.	s34	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Public Health (Infection Control for Personal Appearance Services) Act 2002</i>	Section	Delegation Date	Condition(s)
Power to have regard to the matters listed in this section in deciding whether a person is a suitable person to hold a licence.	s34	30/10/2012	
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.	s36	30/10/2012	
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.	s37	30/10/2012	
Power to impose conditions on a licence.	ss38(2) and 41(1)(c)	30/10/2012	
Power to decide the earlier ending date of a licence.	s40	30/10/2012	
Power to consider all applications for renewals of licences, and determine whether to grant or refuse the application for renewal.	s44	30/10/2012	
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.	s45	30/10/2012	
Power to consider all applications for amendments to licences, and determine whether to grant or refuse the application to amend the licence.	s47	30/10/2012	
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 amendment application.	s48	30/10/2012	
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.	s49	30/10/2012	
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.	s50	30/10/2012	
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.	s51(2)	30/10/2012	
Power to issue a 'show cause notice'.	s52	30/10/2012	
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.	ss54-55	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Public Health (Infection Control for Personal Appearance Services) Act 2002</i>	Section	Delegation Date	Condition(s)
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.	s56	30/10/2012	
Power to consider all applications for a replacement licence, and determine whether to grant or refuse the application for the replacement licence.	s62	30/10/2012	
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.	s65(3)	30/10/2012	
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.	s68	30/10/2012	
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.	s69	30/10/2012	
Power to appoint authorised persons.	s70	30/10/2012	
Power to apply conditions to an authorised person's powers under the Act by giving the person a signed notice.	s72	30/10/2012	
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.	s105	30/10/2012	
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.	s110	30/10/2012	
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.	s111(7)	30/10/2012	
Power to, at any time, extend the time for applying for a review of Council's original decision relating to a licence application.	s121(2)	30/10/2012	
Power to, upon request, review an original decision and make a determination according to section 122 of the Act.	Part 7, Division 1	30/10/2012	
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.	s137	30/10/2012	
Power to deal with a thing forfeited to Council, including destroying the thing.	s140	30/10/2012	
Power to commence proceedings against a person who has committed an offence against the Act.	s143	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Public Health (Infection Control for Personal Appearance Services) Act 2002</i>	Section	Delegation Date	Condition(s)
Power to approve forms to be used in the administration and enforcement of the Act.	s147	30/10/2012	
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.	s153	30/10/2012	
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.	s154	30/10/2012	
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.	s155	30/10/2012	

### 2.35 Public Health Act 2005

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Public Health Act 2005</i>	Section	Delegation Date	Condition(s)
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.	s13	30/10/2012	
Power as an issuing authority, to apply to a magistrate for an order enforcing a public health order (an enforcement order).	s24(2)	30/10/2012	
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.	s27(2)(b)	30/10/2012	
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> .	s31	30/10/2012	
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.	s32	30/10/2012	
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.	s36(5)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Public Health Act 2005</i>	Section	Delegation Date	Condition(s)
Power to enter into an agreement with the chief executive for the disclosure of confidential information.	ss 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)	30/10/2012	
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.	s388(2)	30/10/2012	
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.	s393(2)	30/10/2012	
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> .	s406	30/10/2012	
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.	s407	30/10/2012	
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.	s415	30/10/2012	
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.	s443(1)(b)	30/10/2012	
Power to deal with a thing forfeited as Council considers appropriate, including destroying the thing.	s446	30/10/2012	
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.	s450	30/10/2012	

### 2.36 Public Health Regulation 2005

Name of Legislation / Legislative Powers	Delegations by Council to CEO (S257 LGA 2009)
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Description of Power - <i>Public Health Regulation 2005</i>	Section	Delegation Date	Condition(s)
Power to administer and enforce Part 1A, Divisions 1, 2 and 3.	ss 2C, 2M and 2T	30/10/2012	Delegations under 2C are to be exercised only upon receipt of written confirmation by Queensland Health that Council is indemnified against all legal liabilities in relation to asbestos regulation.

### 2.37 Standard Plumbing and Drainage Regulation 2003

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Standard Plumbing and Drainage Regulation 2003</i>	Section	Delegation Date	Condition(s)
Power to request a reasonable number of copies of a plan the subject of a compliance request.	s14(6)	30/10/2012	
Power to request other information that the local government requires in relation to the testing of a proposed greywater use facility.	s14B(c)(ss)	30/10/2012	
Power to request other information that the local government requires in relation to work for testing purposes on an on-site sewerage facility.	s14D(3)(c)(ii)	21/01/2014	
Power to accept a certification of a plan for regulated work or on-site sewerage work from a competent person where the Chief Executive Officer has decided that part of the work is outside Council's expertise.	s15	30/10/2012	
Power to request information or documents to assess regulated work from a person who, because of section 83(2) of the <i>Plumbing and Drainage Act 2002</i> , does not require a compliance permit to perform regulated work.	s18	30/10/2012	
Power to test or commission plumbing or drainage the subject of regulated work carried out in a remote area.	s27	30/10/2012	
Power to accept a notice of compliance under section 86A(3)(a) of the Act from a person other than the person who performed the work.	s29	30/10/2012	
Power to form a reasonable belief that work subject to an inspection under section 29A or 87(8) does not comply with the Regulation and issue a rectification notice and an information notice.	s29B	21/01/2014	
Power to approve the continued use of a plumbing or drainage item that is not certified and to require a person to have the item tested at the person's cost.	s30	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Standard Plumbing and Drainage Regulation 2003</i>	Section	Delegation Date	Condition(s)
Power to determine whether an item (that an inspector is satisfied is unsuitable for a particular use) may: (a) not be installed or used; or (b) be approved for installation or use with either a protective coating, lining or wrapping or another plumbing or drainage item.	s32	30/10/2012	
Power to decide that a supply pipe for premises or a premises group can not give an efficient water supply for the premises or premises group.	s34(1)	30/10/2012	
Power to require for a supply pipe for a premises: (a) part or all of the supply pipe (premises main) to be built to the standard of a water main; (b) the premises main to supply directly each separately occupied part of the premises; (c) the premises main to supply directly each fire service within the premises.	s34(2)	30/10/2012	
Power to require for a supply pipe for a premises group: (a) part of the supply pipe (premises group main) to be built to the standard of a water main; (b) each separately occupied part of the premises group to be served directly by a supply pipe connected to the premises group main; and (c) each separately occupied part of the premises group that is to have a fire service to be served directly by a fire service connected to the premises group main.	s34(3)	30/10/2012	
Power to require the sanitary drainage for premises or a group of premises to be of a standard of a sewer forming part of Council's or another service provider's sewerage system.	s35	30/10/2012	
Power to implement and maintain a program for the registration, maintenance and testing of testable backflow prevention devices	s38	30/10/2012	
Power to approve the design and location of a grease arrestor.	s39	30/10/2012	
Power to approve air-cooling equipment's connection to a supply pipe.	s41	30/10/2012	
Power to approve hydraulic powered equipment's connection to a supply pipe.	s44	30/10/2012	
Power to approve a pipe carrying water supplied by the local government or other service provider to be:- (a) connected to a water storage tank used to store water obtained from another source or; (b) discharged into a water storage tank used to store water obtained from another source.	s45	30/10/2012	
Power to approve a water closet pan, urinal or another fixture below the level of the sewer or on-site sewerage facility.	s47	30/10/2012	
Power to issue a notice to the owner of a new building and an old building, requiring:- (a) the owner of the new building to pay the reasonable costs of changing the vents of the old building; and (b) the owner of the old building to change the vents.	s52	30/10/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Standard Plumbing and Drainage Regulation 2003</i>	Section	Delegation Date	Condition(s)
Power to determine the qualifications, skills and experience that an individual should have to be competent to assess plumbing and drainage work.	s53	30/10/2012	
Power to perform maintenance work on existing combined sanitary drains, apportion the reasonable costs between or among the owners and recover from each owner, the owner's share of Council's costs.	s54	30/10/2012	

### 2.38 State Penalties Enforcement Act 1999

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>State Penalties Enforcement Act 1999</i>	Section	Delegation Date	Condition(s)
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.	s23	30/10/2012	
Power, as administering authority, to submit particulars required for registration of approval of instalment payments with the State Penalties Enforcement Registry.	s24(1)	30/10/2012	
Power, as administering authority, to withdraw an infringement notice.	s28(1)	30/10/2012	
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.	s33(1)	30/10/2012	
Power, as administering authority, to (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.	s57(5)	30/10/2012	
Power to approve forms for use as infringement notices.	s162	30/10/2012	

**2.39 Stock Act 1915**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Stock Act 1915</i>	Section	Delegation Date	Condition(s)
Power to destroy stray diseased stock found on any road or land under Council control.	s19	30/10/2012	

**2.40 Tobacco and Other Smoking Products Act 1998**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Tobacco and Other Smoking Products Act 1998</i>	Section	Delegation Date	Condition(s)
Power, as an occupier of an enclosed space, to give directions to stop persons from smoking in the enclosed space.	s26U(1)	30/10/2012	
Power to administer and enforce Part 2C, Division 3 of the Act within Council's area and, for a patrolled beach area of a patrolled beach or a prescribed outdoor swimming area, adjacent to or within Council's area.	ss 26ZM and 26ZN	30/10/2012	
Power to commence a proceeding concerning an offence under Part 2C, Division 3 of the Act.	s26ZP	30/10/2012	
Power to commence a proceeding for a contravention of a local law made pursuant to Part 2C, Division 4 of the Act.	s26ZPE	30/10/2012	
Power, as an occupier of a place, to give consent to an authorised person to enter the place.	s33(1)(a)	30/10/2012	
Power, as an occupier of a place, to sign an acknowledgement confirming that consent to enter the place was given to an authorised person.	s34(3)	30/10/2012	
Power, as an owner of a seized thing, to inspect the thing seized by an authorised person and, if it is a document, to copy it.	s44B(1)	30/10/2012	

**2.41 Transport Infrastructure Act 1994**

Name of Legislation / Legislative Powers	Delegations by Council to CEO (S257 LGA 2009)

Description of Power - <i>Transport Infrastructure Act 1994</i>	Section	Delegation Date	Condition(s)
Power to consult with the chief executive concerning the development of a roads implementation program if the chief executive believes that Council would be affected by the program.	s11(4)	30/10/2012	
Power to consult with the chief executive concerning the development of a rail implementation program if the chief executive believes that Council would be affected by the program.	s14(3)(a)	30/10/2012	
Power to consult with the chief executive concerning the development of implementation programs for miscellaneous transport infrastructure if the chief executive believes that Council would be affected by the programs.	s17(4)	30/10/2012	
Power to prepare and make submissions to the Minister in relation to any declaration, or revocation of a declaration that a road or route, or part of road or route, is a State-controlled road.	s25(b)	30/10/2012	
Power to enter into contracts with the chief executive in respect of road works, other works or the operation of State-controlled roads within and outside Council's local government area.	s29	30/10/2012	
Power to make a sharing arrangement with the chief executive for the costs of:- (a) acquisition of land for transport infrastructure; (b) road works on a State-controlled road; (c) other works that contribute to the effectiveness and efficiency of the road network; or (d) the operation of a State-controlled road; including all necessary preliminary costs associated with acquisition, works, or operation.	s32	30/10/2012	
Power, as an owner or occupier of land, to provide written approval agreeing to allow the chief executive to enter, and occupy or use the land to undertake road works after service of notice for temporary occupation and use of land.	s36(1) and (4)	30/10/2012	
Power, as an owner of land, to give notice to the chief executive claiming compensation for physical damage caused by the temporary entry, occupation, or use, or for the taking or consumption of material.	s37	30/10/2012	
Power to enter into agreements with the chief executive in relation to funding for road works on Council's roads.	s40	30/10/2012	
Power to enter into a financial arrangement with the chief executive for improvements to State-controlled roads that would be beneficial to Council's road network.	s41	30/10/2012	
Power to obtain the chief executive's written approval for consent to carry out road works or make changes to the management of a Council road if conditions under subsection (1) apply.	s42	30/10/2012	
Power to apply and enforce conditions to proposed road works or changes to the management of a Council road.	s42(5)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Infrastructure Act 1994</i>	Section	Delegation Date	Condition(s)
Power to obtain the chief executive's written consent to the erection, alteration or operation of an advertising sign or device that would be:- (a) visible from a motorway; (b) beyond the boundaries of the motorway; and (c) reasonably likely to create a traffic hazard; and on conditions that comply with fixed criteria.	s43	30/10/2012	
Power to apply conditions to the erection, alteration or operation of an advertising sign or device.	s43(4)	30/10/2012	
Power to exercise all the powers it may exercise for a local government road in its area in relation to State-controlled roads in its area.	s45	30/10/2012	
Power, as an owner of ancillary works and encroachments, to enter into an agreement with the chief executive for a contribution towards the cost of the alteration, relocation, making safe or removal of the ancillary works and encroachments.	s52(6)	30/10/2012	
Power to make submissions to the chief executive concerning a proposal to publish a gazette notice to make, amend or revoke a declaration or to make, amend or replace a policy for limited access roads.	s55	30/10/2012	
Power to make an application to the chief executive to make a written decision stating any of the matters provided in sub-subsections (a)-(k) concerning access between 1 or more State-controlled roads and particular adjacent land which Council has an interest in.	s62(1)	30/10/2012	
Power to ask the chief executive, in writing, to give Council a copy of any decision in force under section 62(1) for land that Council has an interest in.	s67(3)	30/10/2012	
Power, as an owner or occupier of land, to enter into an agreement with the chief executive for:- (a) the supply by the chief executive of, or a contribution towards the supply by the chief executive of, alternative road access works between a State-controlled road and Council's land or between Council's land and another road; or (b) the carrying out, or contributions towards the carrying out of, other works in relation to Council's land.	s72(2)	30/10/2012	
Power, as an owner or occupier of land, to recover, as a debt from the chief executive, compensation for the diminution in land value because of the prohibition or change made to the access between a State-controlled road and Council's land.	s73(4)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Infrastructure Act 1994</i>	Section	Delegation Date	Condition(s)
Power to enter into an agreement with the chief executive for the supply of roadside service centres, roadside rest facilities and other roadside businesses adjacent to or near State-controlled roads.	s76	30/10/2012	
Power, as the owner of a public utility plant (whether existing or proposed), to arrange with the chief executive for the sharing of the costs, including preliminary costs, of all or any of the following:- (a) acquisition of land associated with the plant; or (b) construction, augmentation alteration or maintenance of the plant; or (c) construction of road works affected by the plant.	s83	30/10/2012	
Power, as an owner or occupier of land, to allow the chief executive to enter the land by giving written consent to the chief executive.	s109A(4)(a)	30/10/2012	
Power to apply to the chief executive for a rail feasibility investigator's authority for an area of land.	s110	30/10/2012	
Power:- (a) as an owner or occupier of land, to consent to an investigator or an associated person to enter onto land; or (b) as an authorised investigator, to enter land, with the owner's or occupier's consent; for the purpose of investigating the land's potential and suitability as a rail corridor.	s114(3)(a)	30/10/2012	
Power, as an owner or occupier of land, to ask person who has entered, is entering, or is about to enter Council's land under an authority for the person's identification or about the person's authority to enter Council's land.	ss 115(4) and 408(4)	30/10/2012	
Power, as an owner or occupier of land, to:- (a) claim compensation from the relevant person for the loss or damage arising out of an entry onto land, any use made of the land, anything brought onto the land, or anything done or left on the land in connection with the relevant person's authority; (b) require the relevant person to carry out works to rectify, within a reasonable time, the damage after the relevant person has finished investigating the land under the authority; or require the relevant person to carry out works to rectify the damage and claim compensation from the investigator for any loss or damage not rectified.	s118(1)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Infrastructure Act 1994</i>	Section	Delegation Date	Condition(s)
Power:- (a) as an owner or occupier of land, to make an agreement with the relevant person with regards to the amount of compensation; or (b) as an authorised investigator, to make an agreement with owner or occupier of the land with regards to the amount of compensation.	s118(4)(a)	30/10/2012	
Power, as an owner of land, to agree to allow an applicant for accreditation as a railway manager and/or operator to access the land where the railway is constructed or is proposed to be constructed.	s126(2)(d)(i)	30/10/2012	
Power, as an owner or occupier of land, to agree to allow the chief executive or an accredited person to take or use the material on Council's land.	s165(c)	30/10/2012	
Power, as an owner or occupier of land, to give written notice to the chief executive or an accredited person regarding:- (a) a claim for compensation for the loss or damage caused by the entry or railway works carried out on Council's land; (b) a claim for compensation for the taking or use of materials; (c) a requirement that the accredited person carry out works in restitution for the damage; or (d) a requirement that the accredited person carry out works in restitution for the damage and a claim for compensation for any loss or damage not restituted.	s166(1)	30/10/2012	
Power to seek the chief executive's written approval to carry out works near a railway.	s168	30/10/2012	
Power, as an owner or occupier of land, to make an agreement with an authorised person to allow the authorised person to enter Council's land and inspect railway works.	s168(7)(b)	30/10/2012	
Power, as an occupier of a place, to consent to the entry of a rail safety officer into the place.	s178(1)(a)	30/10/2012	
Power, as an occupier of a place, to sign an acknowledgement of Council's consent to allow a rail safety officer to enter the place.	s179(3) and (5)	30/10/2012	
Power to enter into a sublease with the chief executive for a section of non-rail corridor land.	s240D	30/10/2012	
Power, as an owner of land, to seek and negotiate with the railway manager a right of access across a proposed railway if Council's land is adjacent to the relevant land or Council has access over the relevant land	s240E(2) and (3)	30/10/2012	
Power, as a railway manager or as an owner of land, to ask the chief executive, if an agreement regarding right of access cannot be made, to decide whether a right of access across the proposed railway should be granted.	s240E(5)	30/10/2012	
Power, as a railway manager or an owner of land, to give the chief executive the information the chief executive requires in deciding whether to grant a right of access across the proposed railway.	s240E(7)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Infrastructure Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as a railway manager of a rail corridor land or as a right of access holder, to agree to cancel the right of access to the land.	s240F(3)(a)	30/10/2012	
Power, as a railway manager of a rail corridor land or as an owner of land, to enter into an agreement in relation to the compensation payable for the cancellation of a right of access across a rail corridor land.	s240F(4)	30/10/2012	
Power, as an owner of land, to commence proceedings in the Land Court for compensation	s240F(6)	30/10/2012	
Power:- (a) to make an agreement with the railway manager for a railway within a common area; or (b) as a railway manager, to make an agreement with a relevant person for a relevant road within a common area; regarding the costs of removing rail transport infrastructure from the common area and restoring the relevant road.	s249(5)	30/10/2012	
Power:- (a) as a railway manager, to:- (i) in constructing or managing a railway, to alter the level of a road or require the authority responsible for the road to alter its level; (ii) make an agreement with the authority responsible for the road with regards to the responsibility for the payment of all reasonable expenses incurred in altering the road level; (iii) make an agreement with a person, whose land is directly affected by the road alteration, regarding the amount of compensation payable to the person; (iv) if an agreement cannot be reached with the person directly affected by the road alteration, make an application to a court with jurisdiction to make a decision on the amount of compensation; or (b) as an authority responsible for a road, to make an agreement with the railway manager with regards to the responsibility for the payment of all reasonable expenses incurred in altering the road level; or (c) as an occupier or owner of land that has been directly affected by the road alteration, to:- (i) make an agreement with the railway manager regarding the amount of compensation payable to Council; (ii) make an application to a court with jurisdiction to make a decision on the amount of compensation.	s250	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Infrastructure Act 1994</i>	Section	Delegation Date	Condition(s)
Power to construct, maintain and operate a road on rail corridor land or non-rail corridor land, if permitted by the chief executive, by way of a bridge or other structure that allows the road to go over or pass under the relevant infrastructure on the land, or a crossing at the same level as the relevant infrastructure.	s253(1)	30/10/2012	
Power, as a railway manager of rail corridor land or as a sublessee of non-rail corridor land, to consult with the chief executive before the chief executive makes a decision on proposed relevant infrastructure on rail corridor land or non-rail corridor land.	s253(3)	30/10/2012	
Power, as a railway manager of rail corridor land or as a sublessee of non-rail corridor land, to continue to use the land and the airspace above the land, other than any land and airspace excluded by a condition of the permission	s253(4)	30/10/2012	
Power to enter into an agreement with the chief executive concerning the maintenance of a road and a bridge, structure or crossing constructed on rail corridor land or non-rail corridor land, as well as the costs of removing the bridge, structure or crossing when the road is no longer in use and the subsequent restoration of the relevant infrastructure on the land.	s253(7)	30/10/2012	
Power, as an owner or occupier of land next to existing railway, or as a railway manager of the existing railway, to enter into an agreement for compensation for railway works with the railway manager or the owner or occupier of the land, respectively.	s260(4)(b)	30/10/2012	
Power:- (a) as an owner or occupier of land adjacent to an existing railway, to carry out further works at Council's expense, with the railway manager's agreement, if Council considers that the works carried out under section 260 are insufficient for the convenient use of the land; or (b) as a railway manager of an existing railway:- (i) to agree to the further works proposed to be carried out by the owner or occupier of land adjacent to the existing railway at it's expense; (ii) to require, by written notice given to the owner or occupier, the further works to be carried out under the supervision of a person nominated by Council and according to plans and specifications approved by Council.	s260(6) and (7)	30/10/2012	
Power, as an owner or occupier of land adjacent to an existing railway, to cross the existing railway with Council's, and its employees' and agents', vehicles and livestock until the railway manager carries out the works pursuant to subsection (2), unless Council has received compensation for the works.	s260(9) and (11)	30/10/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Infrastructure Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as an operational licensee, to:- (a) apply for an approval by a responsible entity to construct, maintain, use or operate miscellaneous transport infrastructure stated in the licensee's operational licence across, over or under an intersecting area and (b) subject to any approval conditions, construct, maintain, use or operate the miscellaneous transport infrastructure identified in the application across, over or under the area.	s420	30/10/2012	
Power, as a responsible entity for an intersecting area, to grant or refuse an approval for an application by a licensee to construct, maintain, use, or operate miscellaneous transport infrastructure stated in the licensee's operational licence across, over, or under an intersecting area	s420(3)	30/10/2012	
Power, as an operational licensee, to apply in writing to the Minister for an approval under section 420 should the responsible entity refuse the application or fail to grant the application within 20 business days after the application is made.	s422	30/10/2012	
Power to impose reasonable conditions on an approval given to a licensee's application made by Council or the Minister.	s423	30/10/2012	
Power to jointly, with a licensee applicant, appoint an independent arbitrator to resolve a dispute concerning approval conditions.	s425(1)	30/10/2012	
Power to make an application to the Minister and the Minister administering the <i>Sustainable Planning Act 2009</i> , if Council and the licensee applicant do not appoint an arbitrator within 10 business days of the giving of a dispute notice, to appoint an independent arbitrator to resolve a dispute concerning approval conditions.	s426(2)	30/10/2012	
Power, as an operational licensee, to make an agreement with the State regarding the ownership of miscellaneous transport infrastructure.	s431	30/10/2012	
Power to commence proceedings against a licensee to claim an amount incurred by Council for the cost, damage, liability, or loss because of the existence, construction, maintenance, use or operation of the miscellaneous transport infrastructure by the licensee.	s432(3)	30/10/2012	
Power, as an owner or occupier of land, to give permission to the chief executive, or a person authorised by the chief executive, to occupy or use Council's land for the purposes of Chapter 12.	s434	30/10/2012	
Power, as an owner of land, to claim compensation from the chief executive for physical damage caused to Council's land by the entry, occupation, use, or for the taking or consumption of materials from the land under Chapter 12.	s435	30/10/2012	
Power to help, or attempt to help, in a situation in which an accident or emergency involving dangerous goods happens or is likely to happen.	s458	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Infrastructure Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as an owner or occupier of land, to provide written agreement to a person authorised by the chief executive to enter the land and inspect Council works that threaten, or are likely to threaten, the safety or operational integrity of transport infrastructure.	s476B(7)(b)	30/10/2012	
Power, as an owner or occupier of land, to undertake the following concerning the entry onto Council land pursuant to section 476B(7):- (a) claim compensation for loss or damage caused by the entry on Council land; or (b) claim compensation for the taking or use of materials; or (c) require the chief executive to carry out works in restitution for the damage; or (d) require the chief executive to carry out works in restitution for the damage and then claim compensation for any loss or damage not restituted.	s476C(2)	30/10/2012	
Power, as an owner or occupier of land, to enter into an agreement with the chief executive with regards to the amount of compensation to be claimed by Council pursuant to subsection (2).	s476C(4)(a)	30/10/2012	
Power to appeal to the Minister against a notice requiring Council to give to the chief executive, or to a specified person, information on a particular issue relevant to the discharge of functions or the exercise of powers under the Act or the <i>Sustainable Planning Act 2009</i> .	s477(4)	30/10/2012	
Power, as a relevant entity under this section and lease holder under the <i>Land Act 1994</i> of port land or land relating to a declared project that has been subleased to a person, to grant a concurrent sublease of all or part of the land to another person for all or part of the term of the lease	s477C	30/10/2012	
Power, as a relevant entity under this section and lease holder of land under the <i>Land Act 1994</i> in relation to a declared project, to grant a licence to enter and use the land.	s477E	30/10/2012	
Power, as a holder, or proposed holder, of a licence to construct or establish transport infrastructure under the Act, to:- (a) seek consent from the chief executive allowing Council to submit a compliance management plan; and (b) submit a compliance management plan addressing 1 or more compliance matters for the licence.	s477G	30/10/2012	
Power to ask the chief executive to review a decision described in schedule 3 that has affected Council's interests	s485	30/10/2012	
Power to apply to the Queensland Civil and Administrative Tribunal ("QCAT"), as provided under the <i>QCAT Act</i> , for a review of the chief executive's decision on a review under section 485.	s485A	30/10/2012	
Power to enter an appeal to the Planning and Environment Court against the chief executive's decision on a review under section 485.	s485B	30/10/2012	

**2.42 Transport Operations (Road Use Management) Act 1995**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Operations (Road Use Management) Act 1995</i>	Section	Delegation Date	Condition(s)
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.	s69	30/10/2012	
Power to install official traffic signs where reasonably satisfied that there is a danger, hindrance, obstruction to traffic or other emergency.	s71	30/10/2012	
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> .	s74(2)	30/10/2012	
Power to remove unauthorised traffic signs.	s75(1)	30/10/2012	
Power to commence proceedings against a person who has injured one of Council's official traffic signs.	s76(1)	30/10/2012	
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 at the time of removal that are considered on reasonable grounds to be abandoned on a road or left on a road unattended or found on a road, where their presence is hazardous any vehicles, trams and animals that are abandoned on a road.	s100	30/10/2012	
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.	s101(1)	30/10/2012	
Power to regulate parking by installing official traffic signs indicating how parking is regulated.	s102(1)	30/10/2012	
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.	s104	30/10/2012	
Power to install a parking meter or park area for a designated parking space if it is installed in a way specified by the MUTCD or approved by the chief executive.	s105(5)	30/10/2012	
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.	s109(1)	30/10/2012	

**2.43 Sustainable Planning Act 2009**

Name of Legislation / Legislative Powers	Delegations by Council to CEO (S257 LGA 2009)

Description of Power - <i>Sustainable Planning Act 2009</i>	Section	Delegation Date	Condition(s)
Power to amend a planning scheme to reflect a designated region's regional plan.	s39	29/07/2014	
Power to consult with the Minister about the establishment of a regional planning committee.	s43(5)(c)	29/07/2014	
Power to accept or refuse a request made under section 95, including extending the request period by 10 days.	s96	24/07/2012	
Power to issue a written notice of Council's decision under section 96.	s97	24/07/2012	
Power to decide whether to grant an extension of time under section 98(2), and provide written notice of that decision.	s98(2) and (4)	24/07/2012	
Power to act as the "assessment manager" for all applications received by Council under Chapter 6 of the <i>Sustainable Planning Act 2009</i> . For avoidance of doubt, the power delegated includes (without limitation) the power to take all actions of an assessment manager as detailed in sections 256, 259, 260, 262, 266, 267, 268, 272, 274, 276, 277, 279, 280, 286, 297, 303, 304, 305, 309, 310, 313, 314, 315, 316, 317, 318, 324, 325, 327, 328, 331, 334, 337, 339, 348, 350, 352, 354, 355, 357, 362, 363, 364, 368, 371, 373, 374, 375, 376, 378, 381, 383, 386, 387, 389, 417, 418, 419, 428, 433 and 434 of the <i>Sustainable Planning Act 2009</i> .	ss 256, 259, 260, 262, 266, 267, 268, 272, 274, 276, 277, 279, 280, 286, 297, 303, 304, 305, 309, 310, 313, 314, 315, 316, 317, 318, 324, 325, 327, 328, 331, 334, 337, 339, 348, 350, 352, 354, 355, 357, 362, 363, 364, 368, 371, 373, 374, 375, 376, 378, 381, 383, 386, 387, 389, 417, 418, 419, 428, 433 and 434	24/07/2012	<p>This power does not include deciding development applications in the following circumstances:</p> <ol style="list-style-type: none"> <li>1. An application for either a Material Change of Use triggered by a planning scheme or for a reconfigure of a lot that is proposed to be refused</li> <li>2. Any "impact assessable" application</li> <li>3. An application to reconfigure a lot which creates more than one additional allotment</li> </ol> <p>Code assessable applications triggered by the Planning Scheme are to be briefed to Councillors at a monthly briefing or at another suitable time.</p>

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Sustainable Planning Act 2009</i>	Section	Delegation Date	Condition(s)
Power to act as a “referral agency”, “concurrence agency” or “advice agency” for all applications referred to Council under Chapter 6, Part 3 of the <i>Sustainable Planning Act 2009</i> . For avoidance of doubt, the power delegated includes (without limitation) the power to take all actions of a “referral agency” or a “concurrence agency” or an “advice agency” as detailed in sections 271, 276, 277, 279, 281, 282, 284, 285, 287, 288, 290, 291, 292, 348, 368, 371, 373, 374, 375, 376, 378, 385, 420 and 434 of the <i>Sustainable Planning Act 2009</i>	ss 271, 276, 277, 279, 281, 282, 284, 285, 287, 288, 290, 291, 292, 348, 368, 371, 373, 374, 375, 376, 378, 385, 420 and 434	24/07/2012	<p>This power does not include deciding development applications in the following circumstances:</p> <ol style="list-style-type: none"> <li>1. An application for either a Material Change of Use triggered by a planning scheme or for a reconfigure of a lot that is proposed to be refused</li> <li>2. Any “impact assessable” application</li> <li>3. An application to reconfigure a lot which creates more than one additional allotment</li> </ol> <p>Code assessable applications triggered by the Planning Scheme are to be briefed to Councillors at a monthly briefing or at another suitable time.</p>
Power to consult with the Minister in relation to a deemed approval.	s332	24/07/2012	
Power to note an approval on its planning scheme and give notice of that approval to the chief executive of the department.	s391	24/07/2012	
Power to carry out compliance assessment.	s339	24/07/2012	
Power to assess and report on aspects of the development requiring compliance assessment.	s402	24/07/2012	
Power as a compliance assessor to decide a request, give an action notice, give a compliance permit with conditions (if any) and give a certificate with conditions (if any).	ss405 and 407	24/07/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Sustainable Planning Act 2009</i>	Section	Delegation Date	Condition(s)
Power, as compliance assessor, to respond to a request to withdraw or change an action notice.	s412	24/07/2012	
Power, as compliance assessor, to decide a request to change a compliance permit or compliance certificate.	s413	24/07/2012	
Power to bring declaratory and other proceedings in the Planning and Environment Court.	s456	24/07/2012	
Power as an advice agency, to appeal to the Planning and Environment Court.	s464	24/07/2012	
Power as a concurrence agency, to appeal to the Planning and Environment Court.	s465	24/07/2012	
Power, as a responsible entity, to appeal against a decision on a request to make a permissible change to an approval.	s466	24/07/2012	
Power to appeal to the Court against a building and development committee decision.	s479	24/07/2012	
Power, as assessment manager, to apply to the court to withdraw from an appeal, if the appeal is only about a concurrence agency's response.	s485(6)	24/07/2012	
Power, as an assessment manager, concurrence agency or referral agency for the development application, to elect to become a co-respondent in an appeal.	s485(8)	24/07/2012	
Power, as a second entity under section 484, to elect to be a co-respondent.	s487	24/07/2012	
Power, as a party to a proceeding, to appeal a decision to the Court of Appeal.	s498	24/07/2012	
Power, as an assessment manager, to bring a proceeding before the building and development committee.	s510	24/07/2012	
Power, as a compliance assessor, to bring a proceeding before the building and development committee.	s512	24/07/2012	
Power, as a responsible entity, to bring a proceeding before the building and development committee.	s513	24/07/2012	
Power, as applicant in a proceeding before the building and development committee, to request the proceedings to be fast tracked.	ss515 and 537	24/07/2012	
Power, as a concurrence agency served with a notice under section 389, to appeal a decision to the building and development committee.	ss520 and 529	24/07/2012	
Power, as an entity given a notice under section 373, to appeal a decision to the building and development committee.	ss521 and 530	24/07/2012	
Power, as an advice agency, to appeal to the building and development committee about a development approval.	s528	24/07/2012	
Power, as assessment manager, to apply to withdraw from the appeal if the appeal is only about a concurrence agency response.	s543	24/07/2012	
Power to elect to be a co-respondent.	s547(3)(b)	24/07/2012	
Power, as assessment manager, to provide all material requested by the registrar.	s551	24/07/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Sustainable Planning Act 2009</i>	Section	Delegation Date	Condition(s)
Power, as a party to an appeal or proceedings, to agree to have the matter decided on the basis of written submissions.	s558(b)	24/07/2012	
Power to give a show cause notice.	s588	24/07/2012	
Power to give an enforcement notice.	s590	24/07/2012	
Power to bring proceedings in the Magistrates Court on a complaint.	s597	24/07/2012	
Power to bring proceedings in the court for orders identified in section 601.	s601	24/07/2012	
Power as a local government giving a change approval or an extension approval where there is an adopted charge that applies for providing trunk infrastructure for the development, to give a new infrastructure charges notice.	s626(1)(d)	09/12/2014	
Power, as a local government, to issue an infrastructure charges notice or regulated infrastructure charges notice.	ss633 and 643 (and 364)	24/07/2012	
Power as a participating local government for a distributor-retailer, to agree with a distributor-retailer about the breakup of adopted charges.  (Note that the breakup agreement will be effective only where the local government does not have a charges resolution or where the breakup agreement is reflected in the local government's charges resolution)	s632	24/07/2012	
Power as a local government giving a development approval where there is an adopted charge that applies for providing trunk infrastructure for the development, to give an infrastructure charges notice.	s635	09/12/2014	
Power to state in an infrastructure charges notice for development other than reconfiguring a lot, building work or making a material change of use, the day the adopted charge is payable.	s638(1)(d)	09/12/2014	
Power as a local government that gave an infrastructure charges notice, to agree with a person to whom an infrastructure charges notice has been given about:  (a) whether the charge may be paid other than as required under section 638, including whether it may be paid by instalments; and/or  (b) whether infrastructure may be provided instead of paying all or part of the charge.	s639	09/12/2014	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Sustainable Planning Act 2009</i>	Section	Delegation Date	Condition(s)
Power as a local government with a LGIP that identifies adequate trunk infrastructure to service the subject premises, to impose a condition on a development approval requiring wither or both of the following at a stated time: (a) the identified infrastructure; and/or (b) different trunk infrastructure delivering the same desired standard of service.	s646	09/12/2014	
Power as a local government with a LGIP that does not identify adequate trunk infrastructure to service the subject premises, to impose a condition on a development approval in requiring development infrastructure necessary to service the premises to be provided at a stated time.	s647	09/12/2014	
Power to enter into a written agreement with a person to whom an adopted infrastructure charges notice or negotiated adopted infrastructure charges notice has been given about:- a) whether the charge may be paid at a different time from that stated in the notice and whether it may be paid by instalments; and/or b) whether infrastructure may be supplied instead of paying all or part of the charge.	s648K(1)	24/07/2012	
Power to impose conditions requiring payment of additional trunk infrastructure costs.	s650	24/07/2012	
Power to agree with an applicant about the payment time for an additional payment condition imposed under section 650(1).	s651(2)	24/07/2012	
Power as a local government that has received a conversion application, to give a notice to the applicant requiring the applicant to give information reasonably needed to decide the conversion application.	s660(2)	09/12/2014	
Power as a local government making a decision on a conversion application to convert non-trunk infrastructure to trunk infrastructure, to, within 20 business days, amend the development approval by imposing a necessary infrastructure condition for the trunk infrastructure.	s662(3)	09/12/2014	
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.	s664(2)	09/12/2014	
Power as a local government to impose a condition on a development approval about non-trunk infrastructure.	s665	09/12/2014	
Power to enter an infrastructure agreement.	Chapter 8 Part 4	24/07/2012	
Power as a public sector entity, to enter into an agreement about: (a) Providing or funding infrastructure; or (b) refunding payments made towards the cost of providing or funding infrastructure.	s677	09/12/2014	
Power as a local government to sell land held on trust in fee simple for public parks infrastructure or local community facilities.	s678	24/07/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Sustainable Planning Act 2009</i>	Section	Delegation Date	Condition(s)
Power as a local government where trunk infrastructure is not identified because paragraphs (a), (b) and (c) of the definition of trunk infrastructure in section 627 do not apply, to impose a condition on a development approval for the supply of development infrastructure for a purposed mentioned in section 665(2).	s679	24/07/2012	
Power, upon receipt of a notice under section 680ZB to note the registration on Council's planning scheme, and any new planning scheme Council makes before the registration ends.	s680ZE	24/07/2012	
Power to make comments in relation to draft terms of reference of an environmental impact statement.	s691	24/07/2012	
Power to make comments in relation to draft environmental impact statement.	ss694 and 695	24/07/2012	
Power to enter land to undertake works.	s715	24/07/2012	
Power to decide a claim for compensation, and recover same from an applicant.	s716	24/07/2012	
Power to make submissions in response to a development for public housing.	s721	24/07/2012	
Power to decide that sections 724(1), 729(1) and 734(1) do not apply where reasonably satisfied that the documents mentioned in section 724(1) (za) to (zf), and 729(1)(i) or (j), and 734(1) contain— a) sensitive security information; or b) information of a purely private nature about an individual, including, for example, someone's residential address.	ss724(5), 729(5) and 734(3)	24/07/2012	
Power to decide that sections 725(1), 726(1) and 728(1) do not apply where reasonably satisfied that the documents mentioned in sections 725(1), 726(1) and 728(1) contain sensitive security information.	ss725(3), 726(3) and 728(3)	24/07/2012	
Power to decide that section 736(1) and (2) do not apply because the information contains sensitive security information.	s736(5)	24/07/2012	
Power to issue limited, standard or full planning and development certificates.	s741	24/07/2012	
Power, as assessment manager for a development application (distributor-retailer), to make a decision on an application and issue notices.	ss755E and 755F	24/07/2012	
Power, as a compliance assessor, to receive applications for compliance assessment.	s755G	24/07/2012	
Power, on behalf of Council, to receive reports from Council's nominated entity in relation to requests for compliance assessment made to Council's nominated entity.	s755H(2)	24/07/2012	
Power, on behalf of Council, to receive information from the distributor-retailer that it may be required to provide under section 755H(4).	s755H(4)	24/07/2012	
Power to give a copy of any compliance permit or certificate issued by Council or received by Council under section 408(4) to the distributor-retailer.	s755I	24/07/2012	
Power to impose, under section 626, conditions in relation to non-trunk infrastructure.	s755J	24/07/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Sustainable Planning Act 2009</i>	Section	Delegation Date	Condition(s)
Power to require, under section 649(2), different trunk infrastructure for a distributor-retailers water or wastewater service.	s755Q(1)	24/07/2012	
Power to require, under section 649(3), conditions about trunk infrastructure for a distributor-retailers water or wastewater service.	s755Q(2)	24/07/2012	
Power to impose, under section 650(1), conditions about additional trunk infrastructure costs for a distributor-retailers water or wastewater service.	s755R	24/07/2012	
Power to receive a notice of appeal under section 482 and provide a copy of it to the distributor-retailer for whom Council is exercising concurrence agency jurisdiction.	s755U	24/07/2012	
Power to receive a notice of appeal under section 483 and provide a copy of it to the distributor-retailer.	s755V	24/07/2012	
Power to consult with the Minister in relation to the guidelines the Minister may make under section 759.	s759	24/07/2012	
Power to consult with the chief executive in relation to guidelines the chief executive may make under section 760.	s760	24/07/2012	
Power to continue to decide a claim made under sections 5.4.2, 5.4.3, 5.4.5 or 5.5.3 of the repealed IPA.	s842	24/07/2012	
Power to impose conditions on a development approval.	s848	24/07/2012	
Power to continue to decide an iconic places development application to which section 873(3) applies and give a decision notice for the application.	s873(4)(b)	24/07/2012	
Power to appeal to the court, as if Council had been a submitter for an iconic places development application to which sections 461 to 464 apply.	s875(3)	24/07/2012	
Power as a local government that has started the process for preparing a POP under section 627 as it was before the SPICOLAA came into effect, to continue to prepare and make the PIP as if the SPICOLAA had not commenced.	s976A	09/12/2014	
Power as a local government that has given a notice mentioned in section 977(1) in relation to a development approval (e.g. an adopted infrastructure charges notice) to, where a request to change the development approval under section 369 is made, amend the notice.	s977(3)	09/12/2014	

**2.44 Sustainable Planning Regulation 2009**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Sustainable Planning Regulation 2009</i>	Section	Delegation Date	Condition(s)
Power to advise a school by written notice that the local government does not agree to an exemption.	Table 5, item 11(3)(b) of Schedule 4	24/07/2012	

**2.45 Disaster Management Act 2003**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Disaster Management Act 2003</i>	Section	Delegation Date	Condition(s)
Power to appoint a person to a District Disaster Management Group for a disaster district.	s24	30/10/2012	
Power to nominate a person to a Temporary District Disaster Management Group.	s28B	30/10/2012	
Power to establish a Local Disaster Management Group for the local government area.	s29	30/10/2012	
Power to agree to unite with one or more other local government/s for the purpose of establishing a local group.	s31	30/10/2012	
Power to appoint a person as a member of a Local Disaster Management Group.	s33	30/10/2012	
Power to appoint a chairperson and deputy chairperson of a Local Disaster Management Group.	s34	30/10/2012	
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.	s37	30/10/2012	
Power to prepare a local disaster management plan for disaster management in the local government's area.	s57(1)	30/10/2012	
Power to review, or renew, its local disaster management plan when local government considers it appropriate.	s59	30/10/2012	
Power to, on payment of the appropriate fee, give a person a copy of the local disaster management plan.	s60	30/10/2012	
Power to agree to unite with one or more other local governments for the purpose of preparing a local disaster management plan.	s61	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Disaster Management Act 2003</i>	Section	Delegation Date	Condition(s)
Power to consult with the chief executive regarding the chief executive establishing an SES unit for the local government area.	s84A	30/10/2012	
Power to nominate a member to be appointed the local controller of an SES unit by the chief executive.	s85	30/10/2012	
Power to enter into an agreement with the chief executive that sets out the responsibilities of each party in relation to the SES in the local government's area.	s88A	30/10/2012	
Power to consult with the chief executive regarding the chief executive establishing an ES unit (emergency service unit) in the local government area.	s89(2)	30/10/2012	
Power to consult with the chief executive regarding the functions of an ES unit in the local government area.	s90(3)	30/10/2012	
Power to nominate a member to be appointed as an ES unit coordinator by the chief executive.	s94	30/10/2012	

#### 2.46 Fire and Rescue Service Act 1990

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Fire and Rescue Service Act 1990</i>	Section	Delegation Date	Condition(s)
Power to receive and take necessary action to comply with a requisition by the commissioner to reduce a fire risk.	s69	29/07/2014	
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.	s96	09/12/2014	
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.	ss97, 99 and 100	09/12/2014	
Power to pay the commissioner any charges for any advice or other assistance provided in preparation of an off-site emergency plan.	s98(2)	09/12/2014	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Fire and Rescue Service Act 1990</i>	Section	Delegation Date	Condition(s)
Power to implement an off-site emergency plan.	s101	09/12/2014	
Power to give written notice to the chief executive of a change of circumstances affecting an off-site emergency plan.	s102(1)	09/12/2014	
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.	s104E	09/12/2014	
Power to pay the commissioner charges for any advice or other assistance provided in preparation of a fire and evacuation plan.	s104F(2)	09/12/2014	
Power to consult with the commissioner about a notice under section 104G(1).	s104G(2)	30/10/2012	
Power, as the occupier or owner of a building, to comply with a notice issued by the commissioner under section 104G(1).	s104G(3)	09/12/2014	
Power to consult with an authorised officer about a notice under section 104I(7) or (8).	s104I(9)	30/10/2012	
Power to nominate a person to be appointed an assessor by the commissioner to help QCAT in section 104SG(1) proceedings.	s104SI(2)(b)(ii)	30/10/2012	
Power to furnish to the chief executive a return disclosing the particulars prescribed under a regulation relating to certain properties.	s109(1)	30/10/2012	
Power to collect annual contributions and other amounts imposed by the local government pursuant to Part 10 of the <i>Fire and Rescue Service Act</i> .	s111(2)	30/10/2012	
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.	s112	30/10/2012	
Power to give the owner of a prescribed property a levy notice.	s112(2)	09/12/2014	
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.	s113(3)	30/10/2012	
Power to amend, revoke or reissue a levy notice if the chief executive allows an appeal.	s113(5)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Fire and Rescue Service Act 1990</i>	Section	Delegation Date	Condition(s)
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.	s113(7)	21/01/2014	
Power to decide the way in which it keeps an administration fee for performing functions under Part 10 of the <i>Fire and Rescue Service Act</i> .	s117(3)	30/10/2012	
Power to make payments to the department, for the fund, out of its operating fund from monies received or recovered by Council under Part 10.	s118	30/10/2012	
Power to refuse or grant, subject to any conditions, an application to pay contributions by instalments.	s121(2)	30/10/2012	
Power to engage a commercial agent (licensed as such under the <i>Property Agents and Motor Dealers Act 2000</i> ) to collect annual contributions in arrears and recover the costs of those services.	s126(1)	30/10/2012	
Power to contribute amounts raised by special rates or charges or separate rates or charges to rural fire brigades operating in Council's local government area.	s128A	09/12/2014	
Power to consult with the commissioner about the establishment of an SES unit in Council's local government area.	s133(2)	09/12/2014	
Power to nominate a person to be the local controller for an SES unit.	s134(2)	09/12/2014	
Power as a local government affected by a disaster to request the commissioner to appoint a person as a SES coordinator.	s136(3)	09/12/2014	
Power to consult with the commissioner about the appointment of a person as an SES coordinator.	s136(4)	09/12/2014	
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.	s140	09/12/2014	
Power to consult with the commissioner about the establishment of an ES unit in Council's local government area.	s141(2)	09/12/2014	
Power to consult with the commissioner about the functions of an ES unit in Council's local government area.	s142(3)	09/12/2014	
Power to nominate a person to be an ES unit coordinator.	s146(2)	09/12/2014	
Power to produce to an authorised person any document or record mentioned in subsection (2)(b).	s152C(4)	09/12/2014	

**2.47 Information Privacy Act 2009**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Information Privacy Act 2009</i>	Section	Delegation Date	Condition(s)
Power, as agency, to transfer an individual's personal information to an entity outside Australia under certain circumstances.	s33	30/10/2012	
Power, as agency, to enter into a service arrangement with an entity other than an agency to provide services.	s34	30/10/2012	
Power, as agency, to give access to a document created after the application for access is received.	s47	30/10/2012	
Power, as agency, to search for a document on a backup system if it considers the search is appropriate.	s49	30/10/2012	
Power, as agency, to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access or amendment application.	s50(5)(b)	30/10/2012	
Power, as agency, to refuse to deal with an access or amendment application if: (i) the application does not comply with all relevant application requirements; and (ii) the applicant has been afforded a reasonable opportunity to consult with a view to making the application comply.	s53	30/10/2012	
Power, as agency, to refuse to deal with an access application if: (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: (a) can not be made under the <i>Information Privacy Act</i> ; and (b) should be made under the <i>Right to Information Act</i> ; and (c) 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.	s54	30/10/2012	
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. Note: more than one request can be made (section 55(2) <i>Information Privacy Act</i> )	s55(1)	30/10/2012	
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.	s55(3)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Information Privacy Act 2009</i>	Section	Delegation Date	Condition(s)
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: (c) 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 (d) the information is exempt information or contrary to public interest information.	s56(1)	30/10/2012	
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.	s57(2)	30/10/2012	
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> ).	s59	30/10/2012	
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.	s60(1)	30/10/2012	
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.	s61(1)	30/10/2012	
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.	s62(3)	30/10/2012	
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.	s63(3)	30/10/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Information Privacy Act 2009</i>	Section	Delegation Date	Condition(s)
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.	s65	30/10/2012	
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.	s67(1)	30/10/2012	
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.	s68(1)	30/10/2012	
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> .	s68(3)	30/10/2012	
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.	s69(2)	30/10/2012	
Power, as agency, after considering an amendment application, to decide whether amendment of the document is permitted.	s70	30/10/2012	
Power, as agency, to give an applicant for an amendment application a prescribed written notice of the decision on the application.	s73(1)	30/10/2012	
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> .	s73(2)	30/10/2012	
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> .	s73(3)	30/10/2012	
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.	s74	30/10/2012	
Power, as agency, to waive an access charge.	ss80, 81 and 82	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Information Privacy Act 2009</i>	Section	Delegation Date	Condition(s)
Power, as agency, to refuse to give access to a document in a form requested, if it would: (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.	s83(4)	30/10/2012	
Power, as agency, to extend the period in which an applicant may access a document.	s84(2)	30/10/2012	
Power, as agency, to defer giving access to a document for a reasonable period if the document was prepared: (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).	s87	30/10/2012	
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, after considering the terms of the application or consulting with the applicant, that the applicant would accept the copy and it is reasonably practicable to give access to the copy.	s88	30/10/2012	
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> .	s92(2)	30/10/2012	
Power, as agency, to apply to the information commissioner for approval to waive or modify the obligation to comply with the privacy principles.	s157	30/10/2012	
Power, as agency, to ask the information commissioner to extend the time within which to take action stated in a compliance notice.	s159	30/10/2012	
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.	s161(1)	30/10/2012	

**2.48 Liquor Act 1992**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Liquor Act 1992</i>	Section	Delegation Date	Condition(s)
Power to make comments in regard to the grant of an adult entertainment permit.	s107D(2)	30/10/2012	
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.	s110(4)(a)	30/10/2012	
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.	s117(2)	30/10/2012	
Power to comment about particular applications.	s117A	30/10/2012	
Power to make a submission about an application made under section 118 and to give a community impact statement under section 116.	s118A	29/07/2014	
Power to make comment in regard to the grant of an application generally.	s121(c)	30/10/2012	
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.	s173C(1) and (2) <a href="http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/L/LiquorA92.pdf">http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/L/LiquorA92.pdf</a>	30/10/2012	
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.	s173D(1) and (3)	30/10/2012	
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	s173E (1) and (3)	30/10/2012	
Power to display a notice regarding a designation at or near each entrance to a place within a restricted area.	s173M(1)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Liquor Act 1992</i>	Section	Delegation Date	Condition(s)
Power to: (a) suspend a restricted area designation for a public place for up to 10 days if the local government reasonably believes it is in the best interests of the area's residents to do so; and (b) to display a notice about the suspension on each of the section 173M notices about the restricted area designation while the suspension is in force; and (c) to notify the Queensland Police Service about the suspension.	s173N(1), (3) and (4)	30/10/2012	

#### 2.49 Queensland Reconstruction Authority Act 2011

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Queensland Reconstruction Authority Act 2011</i>	Section	Delegation Date	Condition(s)
Power to give the authority a written recommendation to impose a condition for infrastructure to which the <i>Sustainable Planning Act</i> , chapter 8, part 1, applies.	s53(4)	30/10/2012	
Power to request the Minister to direct the local government to take particular action about a local planning instrument.	s111(2)	30/10/2012	
Power to make submissions to the Minister about a proposal to direct the local government to take particular action about a local planning instrument.	s111(3)	30/10/2012	

**2.50 Right to Information Act 2009**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Right to Information Act 2009</i>	Section	Delegation Date	Condition(s)
Power to deal with an access application.	s30(1)	30/10/2012	
Power to publish a publication scheme.	s21	30/10/2012	
Power to disclose information under a publication scheme, without limiting another way Council may disclose information.	s22	30/10/2012	
Power to give access to a document created after the application is received but before notice is given under section 54.	s27(2)	30/10/2012	
Power to search for a document from a backup system if Council considers the search appropriate.	s29(2)	30/10/2012	
Power to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access application.	s30(5)(b)	30/10/2012	
Power to: (1) ask the applicant for a further specified period to consider the application; (2) make additional requests for further specified periods under subsection (1); and (3) continue to consider the application and make a considered decision in relation to it only if— (a) Council has asked the applicant for a further specified period under subsection (1); and (b) the applicant has not refused the request; and (c) Council has not received notice that the applicant has applied for review under this Act.	s35	30/10/2012	
Power to make an agreement with the applicant to extend the prescribed period.	s36(7), "prescribed period"	30/10/2012	
Power 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 (the <b>relevant third party</b> ) only if Council has taken steps that are reasonably practicable— (a) to obtain the views of the relevant third party about whether— (i) the document is a document to which this Act does not apply; or (ii) the information is exempt information or contrary to public interest information; and (b) to inform the relevant third party that if access is given to the document because of an access application, access may also be given to the document under a disclosure log.	s37 (1)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Right to Information Act 2009</i>	Section	Delegation Date	Condition(s)
Power to decide that: (a) a document to which section 37(1) applies is a document to which the Act does not apply; or (b) information in a document referred to in (a) is not exempt information or contrary to public interest information	s37(3)(b)	30/10/2012	
Power to transfer the application to another agency if— (a) the document to which the application relates is not in Council’s possession but is, to Council’s knowledge, in the other agency’s possession; and (b) the other agency consents to the transfer.	s38(2)	30/10/2012	
Power to deal with an access application even if this Act provides that the Council may refuse to deal with the application.	s39(3)	30/10/2012	
Power to refuse to deal with the access application without having identified any or all of the documents if— (c) an access application is expressed to relate to all documents, or to all documents of a stated class, that contain information of a stated kind or relate to a stated subject matter; and (d) it appears to Council that all of the documents to which the application relates are comprised of exempt information.	s40	30/10/2012	
Power to refuse to deal with an access application or, if Council is considering 2 or more access applications by the applicant, all the applications, if Council considers the work involved in dealing with the application or all the applications would, if carried out, substantially and unreasonably divert the resources of the Council from their use by Council in the performance of its functions, provided that the conditions set out in section 42(1) have been complied with.	s41(1)	30/10/2012	
Power to make an agreement with an applicant to extend the prescribed consultation period.	s42(6)(b)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Right to Information Act 2009</i>	Section	Delegation Date	Condition(s)
Power to refuse to deal with the later application to the extent it is for access to a document or documents sought under the first application if— (a) when the later application was made, Council had not decided the first application; or (b) in relation to the first application, if made under this Act— (i) the applicant had been given notice under section 54 that access was to be given to the document sought or to some or all of the documents sought; or (ii) Council had decided that the application was for a document to which this Act does not apply; or (iii) Council had decided the document or documents sought were documents access to which was refused under section 47; or (iv) Council had refused to deal with it under this part; or (c) in relation to the first application, if made under the Information Privacy Act— (i) the applicant had been given notice under section 68 of that Act that access was to be given to the document sought or to some or all the documents sought; or (ii) Council had decided that the application was for a document to which chapter 3 of that Act does not apply; or (iii) Council had decided t the document or documents sought were documents access to which was refused under section 67 of that Act; or (iv) Council had refused to deal with it under chapter 3, part 4 of that Act; or (d) Council’s decision on the first application— (i) is the subject of a review and the review is not complete; or (ii) has been the subject of a completed review (other than an internal review).	s43(3)	30/10/2012	
Power to refuse access to a document of the Council.	s47(3)	30/10/2012	
Power to decide whether disclosure of a document would, on balance, be contrary to the public interest	s48(1), 49(1), 50(1), and 51(1)	30/10/2012	
Power to give access to all or part of a document despite Council’s power under section 47(3)(a) to refuse access to all or part of the document.	s48(3)	30/10/2012	
Power to give access to all or part of a document despite Council’s power under section 47(3)(b) to refuse access to all or part of the document.	s49(5)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Right to Information Act 2009</i>	Section	Delegation Date	Condition(s)
Power to give access to all or part of a document despite Council's power under section 47(3)(c) to refuse access to all or part of the document.	s50(4)	30/10/2012	
Power to give access to all or part of a document despite Council's power under section 47(3)(d) to refuse access to all or part of the document.	s51(3)	30/10/2012	
Power to satisfy itself in dealing an application for access to a document that is nonexistent or unlocatable, that— (a) the document does not exist; or (b) the document has been or should be in Council's possession, and all reasonable steps have been taken to find the document but the document cannot be found.	s52(1)	30/10/2012	
Power to give a prescribed written notice, with regards to an access application for a document containing prescribed information, that does not include details mentioned in section 191(a) or (b), and in a schedule of relevant documents.	s55 (2) and (3)	30/10/2012	
Power to waive a processing charge, or access charge, for an access application if Council considers that the likely associated costs to Council would be more than the likely amount of the charge.	s64(1)	30/10/2012	
Power to give access to a document in one or more of the prescribed forms in section 68(1).	s68(1)	30/10/2012	
Power to refuse to give access to documents in a form requested by the applicant and give access in another form in the circumstances specified in section 68(4).	s68(4)	30/10/2012	
Power to give access to a document in another form agreed to by the applicant	s68(8)	30/10/2012	
Power to allow an additional period during which a person may access a document.	s69(2)	30/10/2012	
Power to defer giving access to a document for a reasonable period if the document was prepared— (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 the same or an amended form, in a document to be prepared for a purpose mentioned in paragraph (a) or (b); and the document is yet to be presented or released, or included in a document to be presented or released, as the case may be.	s72(1)	30/10/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Right to Information Act 2009</i>	Section	Delegation Date	Condition(s)
Power to delete irrelevant information from a copy of a document and give access to the document by giving access to a copy of the document with the irrelevant information deleted, only if Council considers the applicant would accept the copy and it is reasonably practicable to give access to the copy.	s73	30/10/2012	
Power, subject to section 55, to give access to a document containing exempt information if it is practicable to give access to a copy of the document from which the exempt information has been deleted and it appears to Council that the applicant would wish to be given access to the copy.	s74	30/10/2012	
Power, subject to section 55, to give access to a document containing contrary to public interest information if it is practicable to give access to a copy of the document from which the contrary to public interest information has been deleted and it appears to Council that the applicant would wish to be given access to the copy.	s75	30/10/2012	
Power to consider, despite Council refusing access to a document to the extent that it comprises personal information of the applicant, whether it is consistent with the primary object of the Act to give the applicant or an intermediary a summary of the personal information on conditions of use or disclosure agreed between Council and the intermediary, or between Council, the intermediary and the applicant specified in section 76(2).	s76(2)	30/10/2012	
Power to consult, or make an agreement, with the information giver or a person other than the applicant if a summary of information under section 76(2) includes information given by the information giver or the other person.	s76(3)	30/10/2012	
Power, despite Council refusing access to the document under section 47(3)(d), to direct that access to a document is to be given instead to an appropriately qualified healthcare professional nominated by the applicant and approved by Council.	s77(2)	30/10/2012	
Power to— <ul style="list-style-type: none"> <li>(a) include a copy of a document, or details identifying the document and information about how the document may be accessed, in a disclosure log if that document that does not contain personal information of the applicant and is accessed by the applicant within the access period; or</li> <li>(b) include details identifying the document and information about how the document may be accessed and any applicable charge if the applicant has failed to access the document within the access period.</li> </ul>	s78(1) and (5)	30/10/2012	
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.	s89(2)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Right to Information Act 2009</i>	Section	Delegation Date	Condition(s)
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.	s93(1)	30/10/2012	
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.	s111(2)	30/10/2012	
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.	s118 (1)	30/10/2012	
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.	s119	30/10/2012	
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)	30/10/2012	

### 2.51 Summary Offences Act 2005

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Summary Offences Act 2005</i>	Section	Delegation Date	Condition(s)
Power to authorise a person to busk in a public place.	s8(2)(b)	30/10/2012	
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.	s32(3)	30/10/2012	
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.	s33(2)	30/10/2012	
Power to appoint a graffiti removal officer	s37	30/10/2012	

**2.52 Summary Offences Regulation 2006**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Summary Offences Regulation 2006</i>	Section	Delegation Date	Condition(s)
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.	s10(1)(a)	30/10/2012	
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.	s14(3)	30/10/2012	

**2.53 Trusts Act 1973**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Trusts Act 1973</i>	Section	Delegation Date	Condition(s)
Power, where appointed trustee for certain purposes, to administer trust property.	s116	30/10/2012	

**2.54 Workers Compensation and Rehabilitation Act 2003**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Workers Compensation and Rehabilitation Act 2003</i>	Section	Delegation Date	Condition(s)
Power, as a local government self-insurer, to comply with all the obligations under Chapter 2, Part 4.	Chapter 2, Part 4	30/10/2012	
Power, as local government self-insurer, to cover councillors under the self-insurer licence.	s68A(1)	30/10/2012	
Power, as an employer, to ask the Authority's board 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> .	s107E(2)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Workers Compensation and Rehabilitation Act 2003</i>	Section	Delegation Date	Condition(s)
Power, as an employer, to appeal the board'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> .	s107E(6)	30/10/2012	
Power, as a self-insurer, to pay compensation for an injury sustained by a worker.	s109(1)	29/07/2014	
Power, as an employer of employees:- (a) in a high risk industry with wages exceeding \$1.6m in the previous financial year; or (b) with wages exceeding \$4.9m in the previous financial year, to appoint a Rehabilitation and Return to Work Coordinator.	s226	30/10/2012	
Power, as an employer of employees:- (c) in a high risk industry with wages exceeding \$1.6m in the previous financial year; or (d) with wages exceeding \$4.9m in the previous financial year, to prepare and have in place a workplace rehabilitation policy and procedure, and review those policies and procedures every 3 years.	s227	30/10/2012	
Power, as an employer, to assist or provide an injured worker with rehabilitation.	s228	29/07/2014	
Power, as an employer, to appeal to an appeal body against the following decisions of the Authority 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 by an insurer 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).	s549 <a href="http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WorkersCompA03.pdf">http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WorkersCompA03.pdf</a>	30/10/2012	
Power, as an employer or self-insurer, to appeal against a decision of the Authority listed in section 567 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> .	s568	30/10/2012	

**2.56 Work Health and Safety Act 2011**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Work Health and Safety Act 2011</i>	Section	Delegation Date	Condition(s)
Power to notify the regulator after becoming aware a notifiable incident has occurred	s38	30/10/2012	
Power to consult with workers who are, or are likely to be, directly affected by a matter relating to work health or safety	s47	30/10/2012	
Power to facilitate the conduct of an election for 1 or more health and safety representatives to represent workers	ss51-54	30/10/2012	
Power to make an application to the commission to disqualify a health and safety representative.	s65	30/10/2012	
Power to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a workgroup.	s71(5)	30/10/2012	
Power to ask the regulator to appoint an inspector to decide the matter.	s72(5)	30/10/2012	
Power to establish a health and safety committee.	ss75-78	30/10/2012	
Power, as a party to an issue, to resolve the issue in accordance with an agreed procedure or the default procedure.	ss80-81	30/10/2012	
Power to ask the regulator to appoint an inspector to assist in resolving the issue.	s82(2)	30/10/2012	
Power to direct the worker to carry out suitable alternative work at the same or another workplace.	s87	30/10/2012	
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.	s89	30/10/2012	
Power to apply to the Commission to revoke a WHS entry permit.	s138	30/10/2012	
Power to appeal a decision of the commission.	s140	30/10/2012	
Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.	ss141-142	30/10/2012	
Power to apply to the regulator for the return of a seized thing.	s180	30/10/2012	
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.	s181	30/10/2012	
Power to claim compensation from the State.	s184	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Work Health and Safety Act 2011</i>	Section	Delegation Date	Condition(s)
Power to make a written undertaking (a WHS undertaking) in connection with a matter relating to a contravention or alleged contravention of the Work Health and Safety Act.	s216	30/10/2012	
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.	s221	30/10/2012	
Power, as an eligible person in relation to a reviewable decision to apply to the regulator for an internal review of the decision.	s224	30/10/2012	
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.	ss229-229E	30/10/2012	
Power to appeal a decision of the commission.	s229F	30/10/2012	

### 2.57 Work Health and Safety Regulation 2011

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Work Health and Safety Regulation 2011</i>	Section	Delegation Date	Condition(s)
Power to apply to the regulator for a licence to carry out demolition work.	s144B	30/10/2012	
Power to make a submission to the regulator in relation to a proposed refusal	s144I	30/10/2012	
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.	s144P	30/10/2012	
Power, as a holder of a licence to carry out demolition work to apply to the regulator to amend the licence.	s144Q(1)	30/10/2012	
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.	s144Q(2)	30/10/2012	
Power to apply to the regulator for a replacement document.	s144U	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Work Health and Safety Regulation 2011</i>	Section	Delegation Date	Condition(s)
Power, as a holder of a licence to carry out demolition work to voluntarily surrender the licence document to the regulator.	s144V	30/10/2012	
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.	s144Y	30/10/2012	
Power to apply in writing to the regulator for authorisation to use, handle or store a prohibited carcinogen or restricted carcinogen	s383	30/10/2012	
Power to ensure that all asbestos or asbestos contaminated material at a workplace is identified by a competent person.	s422(1)	09/12/2014	
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.	s424	09/12/2014	
Power to prepare, maintain and review an asbestos register for each workplace.	ss425(1) and 426	09/12/2014	
Power to prepare, maintain and review an asbestos management plan for each workplace.	ss429 and 430	09/12/2014	
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.	s678(1)	30/10/2012	
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.	s678(2)	30/10/2012	
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.	s683	30/10/2012	
Power to apply for an exemption from compliance with any provision of the <i>Work Health and Safety Regulation</i> .	s684	30/10/2012	

**2.58 State Development and Public Works Organisation Act 1971**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>State Development and Public Works Organisation Act 1971</i>	Section	Delegation Date	Condition(s)
Power to act as a referral entity for the purposes of a development scheme established under the <i>State Development and Public Works Organisation Act 1971</i> where the local government is recognised as a referral entity under that development scheme.	s79	30/10/2012	

**2.59 Body Corporate and Community Management (Accommodation Module) Regulation 2008**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Body Corporate and Community Management (Accommodation Module) Regulation 2008</i>	Section	Delegation Date	Condition(s)
Power, as the relevant planning body, to issue a certificate approving or noting (as required under the <i>Sustainable Planning Act</i> ) an instrument giving effect to a transaction of the body corporate.	s159(6)	30/10/2012	

**2.60 Body Corporate and Community Management (Commercial Module) Regulation 2008**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Body Corporate and Community Management (Commercial Module) Regulation 2008</i>	Section	Delegation Date	Condition(s)
Power, as the relevant planning body, to issue a certificate approving or noting (as required under the <i>Sustainable Planning Act</i> ) an instrument giving effect to a transaction of the body corporate.	s117(6)	30/10/2012	



**2.61 Body Corporate and Community Management (Small Schemes Module) Regulation 2008**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Body Corporate and Community Management (Small Schemes Module) Regulation 2008</i>	Section	Delegation Date	Condition(s)
Power, as the relevant planning body, to issue a certificate approving or noting (as required under the <i>Sustainable Planning Act</i> ) an instrument giving effect to a transaction of the body corporate.	s95(6)	30/10/2012	

**2.62 Body Corporate and Community Management (Standard Module) Regulation 2008**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Body Corporate and Community Management (Standard Module) Regulation 2008</i>	Section	Delegation Date	Condition(s)
Power, as the relevant planning body, to issue a certificate approving or noting (as required under the <i>Sustainable Planning Act</i> ) an instrument giving effect to a transaction of the body corporate.	s161(6)	30/10/2012	

**2.63 Body Corporate and Community Management Act 1997**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Body Corporate and Community Management Act 1997</i>	Section	Delegation Date	Condition(s)
Power to endorse a proposed community management statement.	s60(3)	30/10/2012	
Power, as a utility service provider, to enter an agreement with a body corporate in relation to the utility charges for the scheme land.	s196(4)	30/10/2012	
Power, as a utility service provider, to ask the registrar to register a charge and to remove the charge when the amount secured by the charge is paid	s197	30/10/2012	
Power to enter the common property if necessary to exercise a power conferred under an Act	s316(1)	30/10/2012	

**2.65 Land Act 1994**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as a person who may take water under the Water Act 2000, section 20(3), to exercise a right of access, a right of grazing and a right to bring action for trespass over the adjacent land.	s13A(4)	30/10/2012	
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.	s13B(1)	30/10/2012	
Power, as an applicant under section 13B(6), to appeal against the refusal of the application.	s13B(4)	30/10/2012	
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.	s18(1)	30/10/2012	
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	s18(2)	30/10/2012	
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.	s18(3)	30/10/2012	
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 a lease, to apply to the Minister for the allocation of a floating reservation to some or all of the lots created by the plan	s23A(1)	30/10/2012	
Power, as an applicant under section 23A(1), to appeal against the Minister's decision.	s23A(6)	30/10/2012	
Power, as registered owner of the deed of grant or lessee of a freeholding lease of reservation kept for a public purpose to be sold under section 24(1), to apply to the Governor in Council to buy the land.	s24(3)	30/10/2012	
Power to appeal against the Minister's determination of the unimproved value of land to be sold under section 24(1) of the <i>Land Act 1994</i> .	s25(2)	30/10/2012	
Power, as a lessee or registered owner to buy a forest entitlement area under sections 24 and 25.	s26B(2)	21/01/2014	
Power, as lessee or registered owner, to appeal against the value decided by the Minister for commercial timber on a forest entitlement area that Council is buying.	s26B(8)	30/10/2012	
Power to apply to the Minister for the dedication of a reserve.	s31C(1)	21/01/2014	
Power, as trustee, to apply to the Minister to change the boundary of a reserve or the purpose of a reserve.	s31D	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.	s32	30/10/2012	
Power to apply to Minister to revoke the dedication of all or part of a reserve.	s34	30/10/2012	
Power, as recipient of a notice of proposal to revoke the dedication of all or part of a reserve under section 34A(1), to make a submission against the proposed revocation by the Minister.	s34B	30/10/2012	
Power, as owner of improvements on a reserve the dedication to which has been revoked, to apply to remove improvements on the reserve.	s34H(1)	30/10/2012	
Power, as owner of improvements on a reserve the dedication to which has been revoked, to remove improvements with the written approval of the Minister.	s34H(2)	30/10/2012	
Power, as trustee of an operational reserve, to apply for a deed of grant over the reserve.	s34I	30/10/2012	
Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.	s38A(1)	30/10/2012	
Power, as trustee, to apply for the cancellation of a deed of grant in trust under section 38.	s38A(2)	30/10/2012	
Power, as owner of improvements on a deed of grant in trust that has been cancelled, to apply to remove the improvements on the deed of grant in trust.	s38G(1)	30/10/2012	
Power to accept appointment as trustee.	s44	30/10/2012	
Power, as trustee, to advise the chief executive of change in details.	s45	30/10/2012	
Power, as trustee, to comply with the administrative, accounting function and other directions provided by Minister.	ss46, 47, 48 and 49	30/10/2012	
Power to take all necessary action for the maintenance and management of trust land.	s52(1)	30/10/2012	
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.	s55(1)	30/10/2012	
Power, as trustee, to apply to surrender all or part of a deed of grant in trust.	s55A	30/10/2012	
Power, as owner of improvements on a deed of grant in trust that has been surrendered, to apply to remove the improvements on the deed of grant in trust.	s55H(1)	30/10/2012	
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 Minister.	s55H(2)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Act 1994</i>	Section	Delegation Date	Condition(s)
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.	s57(1)	30/10/2012	
Power as a 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.	s57(3)	21/01/2014	
Power to seek the Minister's approval to amend a trustee lease.	s57A(1)	30/10/2012	
Power, as trustee lessee, to transfer, mortgage or sublease a trustee lease subject to the written approval of the Minister and the trustee to the transaction.	s58(1)	30/10/2012	
Power to appeal against the Minister's decision to refuse to allow a transfer, mortgage or sublease of a trustee lease.	s58(7)	30/10/2012	
Power, as trustee, to issue a trustee permit to use all or part of the trust land.	s60(1)	30/10/2012	
Power to lodge a trustee permit in the appropriate register.	s60(3)	30/10/2012	
Power to seek consent to group trust land reserved for similar purposes together.	s62	30/10/2012	
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.	s63(3)	30/10/2012	
Power, as a relevant person, to apply for approval to lease, sublease or sub-sublease trust land even if an authority is in force.	s64(4)	30/10/2012	
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.	s65(1)	30/10/2012	
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.	s66(1)	30/10/2012	
Power, as trustee of a deed of grant in trust, to mortgage a deed of grant in trust issued prior the commencement of the <i>Land Act 1994</i> , subject to the Minister's approval under section 67(4).	s67(2)	30/10/2012	
Power to mortgage a deed of grant in trust issued after the commencement of the <i>Land Act 1994</i> subject to section 67(3)(a) and (b) and the Minister's approval under section 67(4).	s67(3)	30/10/2012	
Power, as trustee of a trust being wound up or as another person materially affected by the winding-up of a trust, to do all things necessary to help the winding-up.	s77	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as trustee of trust land for cemetery purposes, to repair or remove structures, monuments or tombstones from a cemetery on trust land.	s80(1)	30/10/2012	
Power to ask the Minister that a cemetery on trust land be closed to further burials.	s81(1)	30/10/2012	
Power to ask the Minister to re-open a cemetery previously closed to further burials.	s81(4)	30/10/2012	
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.	s84(1)	30/10/2012	
Power to apply for land to be dedicated as a road for public use.	s94(2)	30/10/2012	
Power to apply to the Minister to permanently close a road.	s99(1)	30/10/2012	
Power to apply to the Minister to temporarily close a road.	s99(3)	30/10/2012	
Power, as an adjoining owner of land who makes an application to permanently close a road pursuant to section 99(1) of the <i>Land Act 1994</i> to ask that the land be amalgamated with the adjoining owner's adjoining land upon its closure.	s99(4)	30/10/2012	
Power to apply to the Minister for a road licence over a temporarily closed road.	s103	30/10/2012	
Power, as a road licensee, to surrender all or part of a road licence.	s105(3)	30/10/2012	
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).	s109A(1)	30/10/2012	
Power, as registered owner, to ask the Minister to include land in the road being closed in the deed of grant in trust issued under section 358.	s109A(2)	30/10/2012	
Power, as registered owner, to appeal against any conditions the Minister imposes under section 420I.	s109A(3)	30/10/2012	
Power, as trustee of lessee, to apply for the simultaneous opening or closing of roads subject to section 109B(1)(a), (b) and (c).	s109B(1)	30/10/2012	
Power to ask the Minister to include the land in the road being closed in the deed of grant in trust issued under section 358 or dedicated as a reserve under section 31A (whichever is applicable).	s109B(2)	30/10/2012	
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).	s109B(3)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420I.	s109B(3)	30/10/2012	
Power to apply for an interest in land that may be granted without competition.	s120A(1)	30/10/2012	
Power, as lessee of a relevant lease to notify the Minister in accordance with section 130A(3)(a) and (b).	s130A(3)	30/10/2012	
Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.	s154	30/10/2012	
Power, as lessee, to apply for extension of a term lease up to 40 years.	s155A(2)	30/10/2012	
Power, as lessee, to apply for extension of a term lease up to 50 years.	s155B(2)	30/10/2012	
Power, as lessee, to apply for extension of a term lease up to 75 years.	s155BA(2)	30/10/2012	
Power, as lessee, to make written submissions to the Minister to show why the term of a term lease should not be reduced.	s155DA	30/10/2012	
Power, as lessee, to appeal against the Minister's decision to reduce the term of a term lease.	s155E(3)	30/10/2012	
Power, as lessee, to apply for an offer of a new lease (a renewal application).	s156	30/10/2012	
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.	s160(3)	30/10/2012	
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.	s166(1)	30/10/2012	
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.	s168(5)	30/10/2012	
Power to appeal against the chief executive's decision on the purchase price for the conversion of a lease to a deed of grant.	s170(2)	30/10/2012	
Power, as registered owner of a deed of grant mentioned in section 174(1), to apply for the removal of the covenant from the land.	s174(4)	30/10/2012	
Power, as lessee, to apply for approval to subdivide the lease.	s176(1)	30/10/2012	
Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.	s176E	30/10/2012	
Power, as lessee of 2 or more leases, to apply to the Minister for approval to amalgamate the lots.	s176K	30/10/2012	
Power to give the chief executive administering this Act an opinion in respect of a proposed road closure.	s176N	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as a local government, to consult with the chief executive regarding the issue of a permit to occupy unallocated State land, a road or a reserve.	s177	30/10/2012	
Power to apply for a permit to occupy unallocated State land, a reserve or a road.	s177A	30/10/2012	
Power, as an applicant for a permit to occupy, to enter an agreement with an adjoining owner about the maintenance of a fence and to give the chief executive that agreement.	s179	30/10/2012	
Power, as a permittee, to surrender a permit.	s180	30/10/2012	
Power, as a relevant entity, to apply to surrender or cancel a permit.	s180A	30/10/2012	
Power, as a permittee for a permit that is cancelled or surrendered, to apply to remove the permittee's improvements on the permit land.	s180H(1)	30/10/2012	
Power, as a permittee, to remove improvements with the chief executive's written approval.	s180H(1)	30/10/2012	
Power, as a lessee, licensee or permittee, to appeal against the inclusion of the lease, licence or permit in a particular category.	s180H(3)	30/10/2012	
Power as a lessee, licensee or permittee to appeal against the inclusion of the lease licence or permit in a particular category for rent assessment.	s182	21/01/2014	
Power, as a lessee or licensee, to apply to the Minister to defer, wholly or partly, the payment of rent or instalments for the lessee's lease or licensee's licence	s192	30/10/2012	
Power, as lessee, licensee or permittee, to give the Minister the information asked for about the lease, licence or permit.	s201	30/10/2012	
Power, as lessee, licensee or permittee, to apply to change an imposed condition of the lease, licence or permit.	S 210	30/10/2012	
Power to appeal against the Minister's decision to change an imposed condition about the protection and sustainability of the lease land.	s212(3)	30/10/2012	
Power, as a lessee, licensee or permittee, to do all things necessary to perform all of the conditions of tenure.	s213	30/10/2012	
Power, as a lessee or licensee to whom a remedial action notice has been given, to appeal against the decision to give the notice.	s214B	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as a lessee or licensee to whom a remedial action notice has been given, to take action required under the notice.	s214C	30/10/2012	
Power, as lessee, to appeal against the Minister's decision to reduce the term of, or impose additional conditions on a lease.	s214F(3)	30/10/2012	
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> .	s219(3)	30/10/2012	
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.	s222(3)	30/10/2012	
Power, as owner of lawful improvements on a lease or part of lease resumed under the division, to claim compensation.	s225(2)	30/10/2012	
Power, as lessee, to appeal against the Minister's decision on compensation payable.	s226(5)	30/10/2012	
Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.	s230(2)	30/10/2012	
Power, as owner, to appeal against the Minister's decision on compensation payable.	s232(5)	30/10/2012	
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.	s239(4)	30/10/2012	
Power, after receiving a notice under section 235(1) or 238(3), as a lessee of a lease, to make written application for permission to sell the lease.	s240E(1)	30/10/2012	
Power, as a local government, to apply to the Minister to sell a lease.	s240G	30/10/2012	
Power, as lessee of a forfeited lease, to remove the lessee's improvements on the lease.	s243(1A)	30/10/2012	
Power, as lessee of a forfeited lease, to remove the improvements with the written approval of the Minister.	s243(1)	30/10/2012	
Power, as lessee, to appeal against the Minister's decision under section 249(3).	s249(5)	30/10/2012	
Power, as lessee of all lots to which a building management statement applies, to apply to the chief executive to extinguish it.	s249H	30/10/2012	
Power to lodge a standard terms document and amend the standard terms document by lodging a further document.	s319	30/10/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Act 1994</i>	Section	Delegation Date	Condition(s)
Power to transfer a lease, sublease or licence under the Act with the approval of the Minister, and to appeal a decision made by the Minister not to grant permission for the transfer.	s322	30/10/2012	
Power, as registered owner, to surrender freehold land on terms agreed between the Minister and the registered owner and with the Minister's written approval.	s327	30/10/2012	
Power, as lessee, to surrender a lease or part of a lease on terms agreed between the Minister and the lessee and with the Minister's written approval.	s327A	30/10/2012	
Power, as registered owner, to apply to the Minister to surrender freehold land.	s327B	30/10/2012	
Power, as a lessee, to apply to the Minister to surrender all or part of a lease.	s327C	21/01/2014	
Power, as owner of improvements on a lease that has been surrendered, to apply to remove the owner's improvements on the lease.	s327(1)	30/10/2012	
Power, as owner of improvements on a lease that has been surrendered, to remove the owner's improvements with the Minister's written approval.	s327(2)	30/10/2012	
Power, as lessee, to give notice of the intention to surrender a lease.	s329(1)	30/10/2012	
Power to seek the Minister's approval to waive the giving of 1 years notice or paying 1 years rent.	s329(2)	30/10/2012	
Power to seek the Minister's approval to sublease a lease and to appeal the Minister's decision.	s332	30/10/2012	
Power to seek the Minister's approval to amend a sublease.	s336	30/10/2012	
Power, as party to a sublease, to ask the chief executive to refer the dispute to mediation.	s339B	30/10/2012	
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).	s358(1)	30/10/2012	
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 Minister.	s358(2)	30/10/2012	
Power, as a lessee or a person acting for the lessee, 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).	s360C(1)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Act 1994</i>	Section	Delegation Date	Condition(s)
Power, as a lessee or a person acting for the lessee, to apply to amend the description in a term lease, other than a State lease, or a perpetual lease if the description of the lease may be amended under section 360A(2)(a), (b) or (c).	s360C(2)	30/10/2012	
Power, as a lessee or a person acting for the lessee, 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).	s360C(3)	30/10/2012	
Power to sign the plan of survey for an easement where Council acts as the public utility provider or the owner of the land to be burdened.	s363(1)(b)	30/10/2012	
Power to sign a document surrendering an easement in favour of Council, where Council acts as one of the entities listed in section 371(2)(a) to (c).	s371(2)	30/10/2012	
Power, as trustee of trust land or a lessee, licensee or permittee, to start a proceeding in the Magistrates Court for unlawful occupation or trespass of trust land, lease, licence or permit.	s415	30/10/2012	
Power to make a submission in response to a notice received under the Act about a proposed application.	s420CB	21/01/2014	
Power, as a person who has a right to appeal against a decision mentioned in schedule 2, to apply to the Minister for a review of the decision.	s423	30/10/2012	
Power, as a person who has applied for the review of a decision under division 2 and is dissatisfied with the review decision, to appeal to the court against the decision.	s427	30/10/2012	
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.	s481A	30/10/2012	
Power, as a public utility provider or a licensee to apply to cancel or surrender all or part of an occupation licence.	s481B	30/10/2012	
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.	s481J(1)	30/10/2012	
Power, as a licensee, to remove the licensee's improvements on the licence with the written approval of the Minister.	s481J(2)	30/10/2012	
Power, as licensee of an occupation licence, to carry out improvements or development work on the licence only with the Minister's written approval.	s482	30/10/2012	
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> .	s492(1)	30/10/2012	

**2.66 Land Valuation Act 2010**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Land Valuation Act 2010</i>	Section	Delegation Date	Condition(s)
Power to consult with the valuer-general about an annual valuation of land and/or a decision not to make an annual valuation of land.	s74	30/10/2012	

**2.67 Public Interest Disclosure Act 2010**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Public Interest Disclosure Act 2010</i>	Section	Delegation Date	Condition(s)
Power to receive a public interest disclosure by any person where the local government is a proper authority for the purposes of section 15 of the <i>Public Interest Disclosure Act</i> .	s12	30/10/2012	
Power to receive a public interest disclosure by a public officer where the local government is a proper authority for the purposes of section 15 of the <i>Public Interest Disclosure Act</i> .	s13	30/10/2012	
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.	s30(1) and (2)	30/10/2012	
Power to refer a disclosure to another public sector entity in certain circumstances.	s31(1) and (2)	30/10/2012	
Power to give a person making a disclosure, or an entity referring a disclosure, reasonable information about the disclosure.	s32(1) and (2)	30/10/2012	

**2.68 Residential Services (Accreditation) Act 2002**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Residential Services (Accreditation) Act 2002</i>	Section	Delegation Date	Condition(s)
Power, on application by a person conducting, or proposing to conduct, a residential service in premises, to assess and determine whether a building complies with the prescribed building requirements.	s29(1) and (3)	30/10/2012	
Power, where a building complies with the prescribed building requirements, to issue a building compliance notice.	s29(1) and Schedule 2	30/10/2012	
Power to approve the form to be used for an application under section 29(1) <i>Residential Services (Accreditation) Act 2002</i> .	s29(2)(a)	30/10/2012	
Power to issue a notice stating the extent to which the premises comply with the prescribed building requirements.	s189(3)(a)	30/10/2012	

**2.69 Survey and Mapping Infrastructure Act 2003**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Survey and Mapping Infrastructure Act 2003</i>	Section	Delegation Date	Condition(s)
Power, as an owner or occupier of land, to consent to a surveyor placing a permanent survey mark on the land.	s21(2)	30/10/2012	
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.	s34	30/10/2012	
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.	s39	30/10/2012	
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.	s40	30/10/2012	
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.	s44	30/10/2012	
Power, as a public authority, to provide the chief executive with information about the boundaries of an administrative area.	s49	30/10/2012	

**2.70 Transport Infrastructure (Public Marine Facilities) Regulation 2000**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Infrastructure (Public Marine Facilities) Regulation 2000</i>	Section	Delegation Date	Condition(s)
Power to manage the public marine facilities listed in schedule 1.	ss5 and 7 and Schedule 1	30/10/2012	
Power, as a manager of a public marine facility, to give written approval for the use of the facility for a commercial purpose.	s6(b)(i)	30/10/2012	

**2.71 Transport Infrastructure (Rail) Regulation 2006**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Transport Infrastructure (Rail) Regulation 2006</i>	Section	Delegation Date	Condition(s)
Power to provide written directions to a railway manager or operator regarding the release of property abandoned or left on a railway.	s22	30/10/2012	

**2.72 Water Act 2000**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power, as a constructing authority or water service provider, to take water to operate public showers or toilets.	s20C(2)	29/07/2014	
Power, as a constructing authority, to take water to construct or maintain infrastructure, if the taking of the water is for a purpose stated under a regulation.	s20C(3)	29/07/2014	
Power, as a holder of an authority or entitlement to take or interfere with water, to provide information requested by the chief executive under section 36 of the <i>Water Act 2000</i> .	s36	30/10/2012	
Power to make submissions in response to a notice of the Minister's intention to prepare a draft water resource plan or further proposed draft water resource plan.	ss40 and 40A	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power to make submissions in response to a notice of the Minister's draft water resource plan or further draft water resource plan.	ss49 and 49A	30/10/2012	
Power to receive and make available to the public a notice from the Minister proposing to postpone the expiry of a water resource plan.	s52B	21/01/2014	
Power to make submissions in response to a notice of the Minister's intention to prepare an amending water resource plan or new draft water resource plan.	s56	30/10/2012	
Power to make submissions in response to a notice of the Minister's intention to prepare a draft water use plan.	s61	30/10/2012	
Power to make submissions in response to a notice of the Minister's draft water use plan.	s64	30/10/2012	
Power to make submissions in response to a notice of the Minister's intention to prepare an amending water use plan or new draft water use plan.	s69	30/10/2012	
Power to make submissions in response to a notice of the chief executive's intention to prepare a draft resource operations plan.	s96	30/10/2012	
Power, as the holder of an interim resource operations licence, a resource operations licence or other authorisation to operate water infrastructure, to provide proposed arrangements for the management of the water.	s97	30/10/2012	
Power to make submissions in response to a notice of the chief executive's draft resource operations plan.	s100	30/10/2012	
Power, as existing water entitlement holder and in response to a notice for a draft resource operations plan that establishes water allocations, to give the chief executive notice of its wish to be recorded on the water allocations register as other than as tenant in common in equal shares.	s101(1)(a)	30/10/2012	
Power, as existing interest holder and in response to a notice for a draft resource operations plan that establishes water allocations, to give the chief executive notice of intention to take action to have the interest recorded on the water allocations register.	s101(1)(b)	30/10/2012	
Power, as existing interest holder who gives the chief executive a notice under section 101(1)(b) of the <i>Water Act 2000</i> , to give the chief executive notice of the consent of the water allocation holder or other authority to take water.	s101(1)(c)	30/10/2012	
Power to make submissions in response to a notice of the chief executive's intention to amend a resource operations plan.	s105(4)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power to apply for a distribution operations licence other than one granted under a resource operations plan.	s108A	30/10/2012	
Power, as an applicant for a distribution operations licence, to provide whatever information the chief executive may request.	s108B	30/10/2012	
Power to make submissions in response to a show cause notice received from the chief executive regarding an intention to amend a condition of a resource operations licence or a distribution operations licence.	s112	30/10/2012	
Power, as the holder of a resource operations licence or distribution operations licence, to consent to amendments the chief executive wishes to make to the licence.	s113	30/10/2012	
Power, as resource operations licence holder or distribution operations licence holder or interim resource operations licence holder, to apply to the chief executive to transfer all or part of a resource operations licence or distribution operations licence or interim resource operations licence.	ss114 and 186	30/10/2012	
Power, as the current infrastructure owner or incoming owner to consent to an application made under section 114 of the <i>Water Act 2000</i> .	s115	21/01/2014	
Power, as the holder of a resource operations licence or distribution operations licence, to provide the chief executive any additional information about an application made under section 114 of the <i>Water Act 2000</i> .	s115A	30/10/2012	
Power, as resource operations licence to apply to the chief executive to amalgamate two or more resource operations licences in the same water supply scheme, or to apply to the chief executive to amalgamate two or more distribution operation licences in the same water supply scheme.	s118A	30/10/2012	
Power, as the holder of a resource operations licence, distribution operations licence or the owner of water infrastructure, to provide written consent for its licence to be amalgamated with another licence in the same water supply scheme.	s118A(3)(b)	30/10/2012	
Power, as the owner of water infrastructure, to provide written consent to an application made under section 118A(2).	s118A(4)	21/01/2014	
Power, as the owner of water infrastructure subject to a distribution operations licence held by the approved nominee of the water infrastructure owner, to request cancellation of the distribution operations licence.	s119	21/01/2014	
Power to make submissions in response to a show cause notice issued by the chief executive in relation to the proposed cancellation of a resource operations licence or distribution operations licence.	s119A	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power, as resource operations licence holder or distribution operations licence holder or interim resource operations licence holder, to agree with the chief executive to cancel a resource operations licence or distribution operations licence or interim resource operations licence.	ss119B and 186	30/10/2012	
Power, as a resource operations licence holder or a distribution operations licence holder or the owner of water infrastructure subject to a distribution operations licence held by the approved nominee of the water infrastructure owner, to give an authorised person free and uninterrupted access to the water infrastructure to which the licence applies and any records relating to the water infrastructure.	s119D	21/01/2014	
Power, as resource operations licence holder or water allocation holder, to enter into a supply contract with a resource operations licence holder or allocation holder, where a different entity, for an allocation.	s122A(4)(a)	30/10/2012	
Power, as a party to a standard supply contract, to review the contract within 1 year of the contract taking effect.	s122A(5)	30/10/2012	
Power, as resource operations licence holder, to require a water allocation holder to provide reasonable security for supplying and storing the water allocation.	s124	30/10/2012	
Power, as water allocation holder, to provide the chief executive with information required by the chief executive to correct the name of the entitlement holder.	s126	30/10/2012	
Power, as distribution licence holder, to agree that the water allocation holder has satisfied their obligation to pay a charge under the distribution arrangements between the parties.	s127C	30/10/2012	
Power, as water allocation holder, to apply to the chief executive to: (a) amalgamate 2 or more water allocations into a single water allocation; or (b) subdivide a water allocation into 2 or more water allocations.	s128A	30/10/2012	
Power, as water allocation holder, to notify the chief executive of a proposal to transfer or lease a water allocation not managed under a resource operations licence.	s128B	30/10/2012	
Power, as water allocation holder, to apply to the chief executive to change the allocation in accordance with the change rules of a resource operations plan.	ss129 and 129A	30/10/2012	
Power, as water allocation holder, to apply to the chief executive to change the allocation where the change is not mentioned in a resource operations plan.	s130	30/10/2012	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power, as water allocation holder who has made an application under sections 129A or 130 to provide the chief executive with the additional information requested.	s131	30/10/2012	
Power to make submissions in response to a notice advising an application to change a water allocation under section 130 <i>Water Act 2000</i> .	s132	30/10/2012	
Power, as water allocation holder or an interim water allocation licence holder, to make submissions in response to a show cause notice given where Council has been convicted of an offence against the <i>Water Act 2000</i> .	ss138 and 196	30/10/2012	
Power, as resource operations licence holder or distribution operations licence holder, to sell a water allocation in accordance with the supply contract or distribution arrangements.	s140	30/10/2012	
Power, as water allocation holder or seasonal water assignment holder, to apply to the chief executive for a seasonal water assignment.	s142	30/10/2012	
Power, as water allocation holder who has made an application under section 142 to provide the chief executive with the additional information requested.	s143	30/10/2012	
Power, as water allocation holder, to enter into an arrangement for a seasonal water assignment in relation to the water allocation.	s146B	30/10/2012	
Power, as resource operations licence holder, to consent to an arrangement for a seasonal water assignment with a water allocation holder where the seasonal water assignment rules require the consent.	s146B(2)(b)	30/10/2012	
Power, as existing interest holder, to lodge a caveat claiming an interest in a water allocation.	s150A(3)	30/10/2012	
Power to search and obtain a copy of a water allocation, an instrument in relation to an allocation and information about the allocation.	s153	30/10/2012	
Power, as interim resource operations licence holder, to apply to amend the interim resource operations licence.	s179	30/10/2012	
Power, as interim resource operations licence holder who has made an application under section 179, to provide any additional information requested by the chief executive.	s180	30/10/2012	
Power to make submissions in response to a public notice to amend an interim resource operations licence.	s181	30/10/2012	
Power, as interim resource operations licence holder to respond to a show cause notice issued by the chief executive about its intention to amend the interim resource licence.	s184	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power to make submissions in response to a public notice by the chief executive to amend an interim resource operations licence.	s184	30/10/2012	
Power, as the holder of an interim resource operations licence, to apply to the chief executive to amend the water sharing rules in a water year or part of a water year.	s185A(1)(a)(ii) <a href="http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WaterA00.pdf">http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WaterA00.pdf</a>	30/10/2012	
Power, as interim resource operations licence holder or resource operations licence holder, to apply to transfer all or part of an interim water allocation not attached to land, to any of the listed entities.	s193	30/10/2012	
Power, as interim water allocation holder, to transfer to other land, all or part of the authority to take water under the allocation.	s195	30/10/2012	
Power, as interim water allocation holder, to surrender the allocation.	s197	30/10/2012	
Power, as an interim, water allocation holder, to engage in consultation with the chief executive about dealing with an interim water allocation under an interim resource operations licence.	s197A(2)	21/01/2014	
Power, as a proposed transferee, to apply for the transfer of an interim water allocation under an interim resource operations licence to the transferee.	s197A(3)	21/01/2014	
Power, as interim water allocation holder that attaches to land, part of which has been disposed of, to apply or consent to the other land holder/s application, to have one or more interim water allocations to replace the jointly held interim water allocation licence.	s198(3)	30/10/2012	
Power, as interim water allocation holder that attaches to land, part of which has been disposed of, to make a written submission to the chief executive in response to a notice to replace the allocation.	s198(7)	30/10/2012	
Power, as interim water allocation holder, to enter into an arrangement for a seasonal water assignment in relation to the allocation.	s200(1)	30/10/2012	
Power, as interim resource operations licence holder or resource operations licence holder, to consent to an arrangement under section 200(1) <i>Water Act 2000</i> .	s200(3)	30/10/2012	
Power, as owner of land or owner of contiguous parcels of land, to apply for a water licence to take water and use water on the land or interfere with the flow of water on under or adjoining the land.	s206(1)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power, as owner of intervening land, to grant the applicant for a water licence a registrable lease or easement over Council's land to enable them to take the water.	s206(3)	30/10/2012	
Power, as a listed entity, to apply for a water licence to take water or interfere with the flow of water.	s206(4)	30/10/2012	
Power, as an applicant for a water licence under section 206 or an applicant for the transmission of a water licence under section 212A to provide any additional information requested by the chief executive.	ss207 and 212A(5)	30/10/2012	
Power to make submissions in relation to another entity's application for a water licence under section 206 of the <i>Water Act 2000</i> .	s208(4)	30/10/2012	
Power, as relevant entity for a recycled water scheme or entity nominated by such a relevant entity, to apply for a transmission water licence for taking water from a receiving water source.	s212A	30/10/2012	
Power, as water licence holder, to apply to amend a water licence.	s216	30/10/2012	
Power to make written submissions in relation to another entity's application to amend a water licence.	s216A(3)	30/10/2012	
Power, as water licence holder, to make submissions in response to a show cause notice issued by the chief executive in relation to a proposed amendment to the water licence or cancellation of the water permit.	ss218 and 244	30/10/2012	
Power, as water licence holder, to apply for renewal of a water licence.	s220	30/10/2012	
Power, as water licence holder or the owner of land to which a water licence was attached, to apply for reinstatement of an expired water licence.	s221	30/10/2012	
Power, as water licence holder or the constructing authority acquiring land under the Acquisition of Land Act 1967 to which an interim water allocation or water licence is attached, to apply to transfer a water licence or the interim water allocation or water licence.	ss222 and 198A and 229B	30/10/2012	
Power, as water licence holder, to apply to amalgamate 2 or more water licences.	s224	30/10/2012	
Power, as water licence holder, to apply to divide a water licence into 2 or more water licences.	s225	30/10/2012	
Power, as water licence holder, to surrender a water licence.	s226	30/10/2012	
Power, as the new owner of land to which a water licence attaches, to give the chief executive notice that the previous licensee has ceased to be the licensee.	s228(5)	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power, as owner of land to which an expired water licence related, to apply for 1 or more licences to replace the jointly held licence.	s229(3)	30/10/2012	
Power, as owner of land to which a jointly held water licence attaches and to whom a notice has been given under section 229(7) of the <i>Water Act</i> , to make a submission about the chief executive's proposal to amend, subdivide or cancel the licence.	s229(3)	30/10/2012	
Power, as water licence holder or seasonal water assignment notice holder, to apply for a seasonal water assignment.	s231	30/10/2012	
Power, as an applicant under section 231, to provide any additional information requested by the chief executive.	s232	30/10/2012	
Power to apply for a water permit for taking water for an activity with a reasonably foreseeable conclusion date.	s237	30/10/2012	
Power as an applicant for a water permit under section 237 to provide the chief executive with any additional information requested.	s238	30/10/2012	
Power, as water permit holder or the holder of a seasonal water assignment notice, to surrender the water permit.	ss243 and 146 and 236	30/10/2012	
Power, as water licence holder or water permit holder, to apply for a replacement licence or permit where the licence or permit has been lost or destroyed.	s245	30/10/2012	
Power to apply to the chief executive for a permit to: a) excavate in a watercourse, lake or spring; or b) place fill in a watercourse, lake or spring.	s266	30/10/2012	
Power, as the registered owner of the land containing the watercourse or part of the lake or spring or adjoining the watercourse, lake or spring to which an application under section 266 relates, to provide written consent to the proposed activity.	s266(2A)	30/10/2012	
Power, as an applicant under section 266 to provide any additional information requested by the chief executive.	s267	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power, as permit holder under section 266 of the <i>Water Act 2000</i> , to respond to a show cause notice issued by the chief executive as to why the conditions of the permit should not be amended, or the permit should not be cancelled.	s270	30/10/2012	
Power to apply for an allocation of quarry material.	s280	30/10/2012	
Power, as quarry material allocation notice holder, to apply to transfer all or part of the allocation to another person.	s288	30/10/2012	
Power, as quarry material allocation notice holder, to apply to renew the allocation notice.	s289	30/10/2012	
Power, as quarry material allocation notice holder, to respond to a show cause notice issued by the chief executive as to why the allocation notice should not be amended, suspended or cancelled.	s290	30/10/2012	
Power, as quarry material allocation notice holder, to surrender the allocation notice.	s291A	30/10/2012	
Power, as operations licensee, to apply to amend an operations licence.	s333	30/10/2012	
Power, as operations licensee, to make submissions in response to a notice issued by the chief executive regarding the proposed amendment to a licence.	s334(3)	30/10/2012	
Power, as operations licensee, to apply to transfer the operations licence.	s337	30/10/2012	
Power, as operations licensee, to surrender an operations licence.	s338	30/10/2012	
Power, as local government, to consult with the Minister before the Minister designates regions for which the commission is to perform its functions, where the region is wholly or partly within Council's local government area.	s360D(4)	30/10/2012	
Power, as responsible entity for an approved report, which the chief executive considers requires amendment, to make a submission regarding the proposed amendment.	s393	30/10/2012	
Power, as party to the dispute or who attended the conference or ADR under section 425 of the <i>Water Act 2000</i> , to apply to the Land Court to decide the matter the subject of the election notice issued under section 425 of the <i>Water Act 2000</i> .	s434(3)	30/10/2012	
Power to inspect the details contained in a publicly available part of the database of information relevant to monitoring underground water, and to, on payment of the required fee, obtain a copy.	s445(3)	30/10/2012	
Power to make a submission in response to the chief executive's notice to establish a water authority.	s552	30/10/2012	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Act 2000</i>	Section	Delegation Date	Condition(s)
Power to make a submission in response to a proposal to amend the establishment regulation for a water authority.	s556	21/01/2014	
Power to make a submission in response to a proposal to change the composition of the board of a water authority.	s598A	21/01/2014	
Power to make a submission in regarding a proposed amalgamation or dissolution of water authorities.	s693(3)	30/10/2012	
Power, as local government, to agree to the transfer of all or part of the water authority's functions to Council.	s698	30/10/2012	
Power, as interested person who has been given an information notice or compliance notice by the chief executive, to apply for an internal review of the original decision to give the notice.	s862	30/10/2012	
Power, as interested person who applied for an internal review under section 862 of the <i>Water Act 2000</i> , to appeal against, or apply for a review of, the review decision.	s877	30/10/2012	
Power, if one of the stated authorities, to have a supply contract with SEQ Water for Council's water entitlement.	s992C	30/10/2012	

### 2.73 Water Regulation 2002

Name of Legislation / Legislative Powers		Delegations by Council to CEO (S257 LGA 2009)	
Description of Power - <i>Water Regulation 2002</i>	Section	Delegation Date	Condition(s)
Power, as interim water allocation holder, to transfer to other land, all or part of the authority to take water under the allocation.	s8		

**2.74 Acquisition of Land Act 1967**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Acquisition of Land Act 1967</i>	Section	Delegation Date	Condition(s)
Power to prepare, serve and amend a Notice of Intention to Resume, to discontinue a resumption and to give notice to the land registry.	s7	29/07/2014	
Power to consider the grounds of objection to the taking of land and to amend the notice of intention to resume or discontinue the resumption.	s8	29/07/2014	
Power to apply to the Minister that the land be taken and to respond to requests from the Minister for further particulars or information.	s9	29/07/2014	
Power to deal with land mentioned in subsection (4) for the purpose for which it is taken on and from the day it is taken, even though the land is yet to be dedicated, granted, leased or otherwise dealt with under subsection (4A).	s12(4B)	29/07/2014	
Power to agree with the claimant on the amount of compensation payable.	s12(5A)	29/07/2014	
Power to serve the gazette resumption notice upon every person who is entitled pursuant to section 18 to claim compensation or is a mortgagee of the land.	s12(7)	29/07/2014	
Power to lodge with the registrar of titles a plan of survey showing a new boundary for a lot or common property.	s12A	29/07/2014	
Power to dedicate land taken under the Act as a road.	s12B	29/07/2014	
Power to take additional land.	s13(1)	29/07/2014	
Power to sell or otherwise deal with additional land taken.	s13(3)	29/07/2014	
Power to apply to the Minister to take land pursuant to a resumption agreement and to respond to requests from the Minister for further particulars or information.	s15C	29/07/2014	
Power to declare by gazette notice that land taken pursuant to a resumption agreement is taken for the purpose stated in the notice.	s15D	29/07/2014	
Power to serve a notice of discontinuance of a resumption.	s16(1)	29/07/2014	
Power to agree with the claimant about the amount of compensation payable under subsection (1).	s16(1B)	29/07/2014	
Power to have the amount of compensation payable under subsection (1) taxed by an officer of the Supreme Court.	s16(1C)	29/07/2014	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Acquisition of Land Act 1967</i>	Section	Delegation Date	Condition(s)
Power as a gazetting authority to, by gazette notice, revoke a gazette resumption notice.	s17(1)	29/07/2014	
Power to agree in writing with the person entitled as owner to compensation in respect of the taking of the land to the revesting of the land or part of it, to which a gazette resumption notice will relate.	s17(1A)	29/07/2014	
Power to lodge a gazette copy of the revoking gazette notice with the land registry.	s17(2)(c)	29/07/2014	
Power to agree upon the amount of compensation to be paid under subsection (4) or to agree that the amount be determined by the Land Court.	s17(5)	29/07/2014	
Power to accept and deal with a claim for compensation served by the claimant more than 3 years after the day the land was taken.	s19(4)	29/07/2014	
Power to agree to grant the claimant, in satisfaction wholly or partly of the claimant's claim for compensation, any easement, right of way, lease or other right of occupation, or any other right, privilege or concession in, upon, over or under the land taken or any other land the property of Council.	s21(1)	29/07/2014	
Power to agree to transfer land held in fee simple by Council to the claimant in satisfaction wholly or partly of the claimant's claim for compensation.	s21(1A)	29/07/2014	
Power to agree with the Claimant that the extent to which the grant or transfer shall satisfy the claim for compensation be determined by the Land Court.	s21(2)	29/07/2014	
Power to make an advance on compensation to the Claimant.	s23(2)	29/07/2014	
Power to pay to Council, the Crown or a mortgagee any amount by which the advance has been reduced.	s23(7)	29/07/2014	
Power to refer a claim for compensation to the Land Court.	s24(1)	29/07/2014	
Power to apply to the Land Court for further or other particulars of a claim for compensation.	s24(4)	29/07/2014	
Power to apply to the Land Court for the Claimant to enter an appearance on the reference.	s25(1)	29/07/2014	
Power to pay the amount of compensation agreed upon or determined into the Supreme Court.	ss29 and 30	29/07/2014	
Power to deduct from an amount of compensation and pay to the Crown or to Council any amount of taxes, rates or other moneys charged upon the land taken in favour of the Crown or Council.	s35	29/07/2014	
Power to temporarily occupy and use any land for the purpose of constructing, maintaining or repairing any works and to exercise the powers prescribed in this section.	s37(1)	29/07/2014	



Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Acquisition of Land Act 1967</i>	Section	Delegation Date	Condition(s)
Power to give notice to the occupier or owner of the intention to temporarily occupy and use the land.	s37(2)	29/07/2014	
Power to agree with the claimant upon the amount of compensation to be paid under section 37 or to agree that such amount be determined by the Land Court.	s37(5)	29/07/2014	
Power to issue a warrant to the sheriff to deliver up possession of the land taken or occupied under the Act.	s38(1)	29/07/2014	
Power to offer for sale land taken under the Act to the former owner of the land, where the land is no longer required by Council within 7 years after the date the property was taken by Council.	s41(1)	29/07/2014	

### 2.75 Statutory Bodies Financial Arrangements Act 1982

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Statutory Bodies Financial Arrangements Act 1982</i>	Section	Delegation Date	Condition(s)
Power, as a statutory body, to operate a deposit and withdrawal account with a financial institution.	s31(1)	09/12/2014	
Power, as a statutory body, to seek the approval of the Treasurer to operate a deposit and withdrawal account with an overdraft facility.	s31(2)	09/12/2014	
Power, as a statutory body, to borrow money and to seek the Treasurer's approval for the borrowing.	s34(1)	09/12/2014	
Power, as a statutory body, to: (a) create an encumbrance; and (b) otherwise transfer property, or assign income, by way of security, And to seek the Treasurer's approval for same.	s35(3)	09/12/2014	
Power, as a statutory body, to exercise category 1 investment powers.	s42 & s44	09/12/2014	
Power, as a statutory body, to keep records that show Council has invested in the way most appropriate in all the circumstances.	s47(2)	09/12/2014	
Power, as a statutory body, to (a) obtain the Treasurer's approval for continuing with an investment arrangement referred to in section 52(1); or (b) liquidate an investment arrangement referred to in section 52(1).	s52(2)	09/12/2014	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Statutory Bodies Financial Arrangements Act 1982</i>	Section	Delegation Date	Condition(s)
Power, as a statutory body, to give the Treasurer a report about a derivative transaction and give a copy of the report to the Minister that administers the <i>Local Government Act 2009</i> .	s55 & s56	09/12/2014	
Power, as a statutory body, to enter a type 1 financial arrangement and obtain the Treasurer's approval for the arrangement.	s60A	09/12/2014	
Power, as a statutory body to which section 61 applies, to enter a type 2 financial arrangement and obtain the Treasurer's approval for the arrangement.	s61A	09/12/2014	
Power, as a statutory body, to sign documents for a financial arrangement under the Act.	s62(1)	09/12/2014	
Power as a statutory body, to obtain the Treasurer's approval before signing for a financial arrangement that: (a) creates an encumbrance; or (b) otherwise transfers Council's property, or assigns Council's income, by way of security.	s62(2)	09/12/2014	
Power, as a statutory body, to apply to the Treasurer for approval of the exercise of a power under the Act.	s71	09/12/2014	
Power, as a statutory body, to respond to a request from the Treasurer for a document or information the Treasurer considers necessary for considering Council's application under section 71 of the Act.	s72	09/12/2014	
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.	s74	09/12/2014	

**2.76 Heavy Vehicle National Law 2012**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Heavy Vehicle National Law 2012</i>	Section	Delegation Date	Condition(s)
Power, as a road manager, to consent to the grant of a mass or dimension authority.	s156(1)	09/12/2014	
Power, as a road manager, to ask the regulator for a longer period of time to decide to give or not to give consent to the grant of a mass or dimension authority under section 156(1)(b).	s156(2)	09/12/2014	
Power, as a road manager, to give the regulator a written statement that explains the road manager's decision and complies with section 172 (requirements for statement explaining adverse decision of road manager).	s156(6)	09/12/2014	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Heavy Vehicle National Law 2012</i>	Section	Delegation Date	Condition(s)
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; and (b) the fee payable (if any) for the route assessment under a law of the jurisdiction in which the road is situated.	s159(2)	09/12/2014	
Power, as a road manager, to grant a mass or dimension authority subject to conditions.	s160(2), s161(1) and s162(1)	09/12/2014	
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 (requirements for statement explaining adverse decision of a road manager).	s160(2), s161(2) and s162(2)	09/12/2014	
Power, as a road manager for a mass or dimension authority, to give the regulator a notice objecting to the application of section 167 (expedited procedure for road manager's consent for renewal of mass or dimension authority) to the proposed replacement authority.	s167(2)(b)	09/12/2014	
Power, as a road manager for a mass or dimension authority, to give the regulator a notice objecting to the application of section 167 (expedited procedure for road manager's consent for renewal of mass or dimension authority) to the proposed replacement authority.	s167(2)(b)	09/12/2014	
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).	s167(2)(b)(ii)	09/12/2014	
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 three (3) months.	s169(1)	09/12/2014	
Power, as a road manager for a mass or dimension authority, to object to the renewal of the authority for a further trial period.	s170(3)	09/12/2014	
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.	s174(2)	09/12/2014	
Power, as a road manager for a mass or dimension authority granted by permit, to request the regulator amend or cancel the authority.	s178(2)	09/12/2014	
Power, as a road manager, to apply to the court for a compensation order.	s611(2)	09/12/2014	
Power, as a public authority, to sign a certificate of evidence for court action as provided for in this section.	s612(2)(c)	09/12/2014	
Power, as a road manager, to agree to a longer prescribed period for a review of a reviewable decision.	s645(6)	09/12/2014	

**2.77 Heavy Vehicle (Mass, Dimension and Loading) National Regulation**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	Section	Delegation Date	Condition(s)
Power, as a road manager, to consent to the making of a higher mass limit (HML) declaration.	s13(1)(b) and s14	09/12/2014	
Power, as a road manager, to consent to the making of a higher mass limit (HML) declaration subject to conditions).	s14(3)	09/12/2014	
Power, as a road manager for a higher mass limit (HML)_declaration, to request the regulator to amend or cancel the declaration.	s14(4)	09/12/2014	
Power, as a road manager, to consent to the granting of a higher mass limit (HML) permit.	s22(1)(b) and s23	09/12/2014	
Power, as a road manager, to consent to the granting of a higher mass limit (HML) permit subject to conditions.	s24(1)(a)	09/12/2014	
Power, as a road manager, to consent to amendment of a higher mass limit (HML) permit.	s29(4)	09/12/2014	
Power, as a road manager for a higher mass limit (HML) permit, to request the regulator amend or cancel the permit.	s31(2)	09/12/2014	
Power, as a road manager, to consent to a declaration of the regulator pursuant to section 40.	s41(1)	09/12/2014	

**2.78 Heavy Vehicle National Law Regulation 2014**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Heavy Vehicle National Law Regulation 2014</i>	Section	Delegation Date	Condition(s)
Power, as a road manager, to set the fee payable for a route assessment.	s4(c)	09/12/2014	

**2.79 Nature Conservation Act 1992**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Nature Conservation Act 1992</i>	Section	Delegation Date	Condition(s)
Power, as a landholder, to make a submission to the Minister about the proposed declaration of a nature refuge.	s44(4)	09/12/2014	
Power, as a landholder, to enter a conservation agreement with the Minister about the declaration of a nature refuge.	s45(1) & s48(1)	09/12/2014	
Power, as a landholder, to request the cancellation of a conservation agreement.	s47(2)	09/12/2014	
Power, as a landholder, to make an objection to a proposed compulsory declaration of a nature refuge.	s49(2)(c)	09/12/2014	
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.	s67(5)	09/12/2014	
Power, as a landholder of land subject to an interim conservation order, to claim compensation.	s108(1)	09/12/2014	
Power, as a landholder, to make a submission about a draft management plan.	s115A(3)(c)	09/12/2014	
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 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.	s137A(5)	09/12/2014	

**2.80 Nature Conservation (Administration) Regulation 2006**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Nature Conservation (Administration) Regulation 2006</i>	Section	Delegation Date	Condition(s)
Power to apply for the grant of a relevant authority (protected area authority) and to do all the things necessary to process the application to obtain a decision.	s23, s24, s26, s27, s27A and s28	09/12/2014	
Power to apply for the amendment of a relevant authority.	s47	09/12/2014	
Power to make representations in response to a notice of amendments to a relevant authority issued by the Chief Executive pursuant to this section.	s49	09/12/2014	
Power to make representations in response to a notice to suspend a relevant authority issued by the Chief Executive pursuant to this section.	s54	09/12/2014	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Nature Conservation (Administration) Regulation 2006</i>	Section	Delegation Date	Condition(s)
Power to return a relevant authority to the Chief Executive.	s55(2), s56(2) and s57	09/12/2014	
Power to apply to the Chief Executive for replacement of a damaged, destroyed, lost or stolen relevant authority.	s64	09/12/2014	
Power to surrender a relevant authority to the Chief Executive.	s65	09/12/2014	
Power to apply for an internal review of a reviewable decision and to do all the things necessary to process the application to obtain a decision.	s100 and s102	09/12/2014	
Power, as a person who is given or is entitled to be given a notice under section 101(2) about a decision, to apply to QCAT for external review of the decision.	s103	09/12/2014	
Power to give a return of operations to the Chief Executive.	s132	09/12/2014	
Power to keep a copy of a return of operations given to the Chief Executive.	s134	09/12/2014	
Power to give the Chief Executive a notice stating a return of operations has been stolen, lost, destroyed or damaged.	s135	09/12/2014	

**2.80 Nature (Wildlife Management) Regulation 2006**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Nature Conservation (Wildlife Management) Regulation 2006</i>	Section	Delegation Date	Condition(s)
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.	s41A	09/12/2014	
Power, as the holder of a damage mitigation permit, to give a return of operations for the permit to the Chief Executive.	s188	09/12/2014	
Power, as the holder of a flying-fox roost management permit, to give a return of operations to the Chief Executive.	s188G	09/12/2014	

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Nature Conservation (Wildlife Management) Regulation 2006</i>	Section	Delegation Date	Condition(s)
Power as a local government, to give the Chief Executive information about: (a) an area zones for use for residential or commercial purposes under the local government's planning scheme; and (b) as the Chief Executive to amend the urban flying-fox management area map to include the area.	s379(2)	09/12/2014	
Power as a local government to respond to a request from the Chief Executive pursuant to this section.	s383(2)(a)	09/12/2014	

### 2.81 Electricity Act 1994

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Electricity Act 1994</i>	Section	Delegation Date	Condition(s)
Power as a road authority to enter a written agreement with an electricity entity.	s102(2)	09/12/2014	
Power as a road authority to give an electricity entity information about lines and levels for proposed roadworks.	s102(4)	09/12/2014	
Power as a road authority to consult with an electricity entity.	s103	09/12/2014	
Power as a public entity to require an electricity entity to alter the position of the electricity entity's works in a publicly controlled place if the works could interfere with the exercise of the public entity's powers for the place.	s106	09/12/2014	
Power as a public entity to refer a dispute with an electricity entity arising under Chapter 4, Part 4 of the Act to the Regulator.	s117(2)	09/12/2014	
Power as a person whose interests are affected by a decision mentioned in Schedule 1, to apply to the reviewer for an internal review of the decision.	s214(1)	09/12/2014	

**2.81 Electricity Regulation 2006**

Name of Legislation / Legislative Powers		Delegations by Council to CEO (s257 LGA 2009)	
Description of Power - <i>Electricity Regulation 2006</i>	Section	Delegation Date	Condition(s)
Power as a public entity to agree on a different consultation period with an electricity entity.	s18(1)	09/12/2014	
Power as a public entity to impose reasonable requirements on an electricity entity that proposes to undertake action on a publicly controlled place.	s19(1)	09/12/2014	
Power as a public entity to require an electricity entity to provide additional warning or protection devices to safeguard the public whilst taking action on a publicly controlled place.	s20(2)	09/12/2014	
Power as a public entity to agree with an electricity entity about the restoration of a publicly controlled place that has been opened or broken up, including the power to impose reasonable conditions and requirements for the restoration.	s21(2)	09/12/2014	
Power as a public entity to agree with an electricity entity about the way maintenance work is to be carried out.	s22(2)	09/12/2014	
Power as a local government to consult with a person about the installation of a low voltage electricity line beyond the person's property, including the power to state in writing whether or not Council has any objections to the proposal.	s24	09/12/2014	

**2.82 Delegations To The Mayor**

Name of Legislation / Legislative Powers		Delegations by Council to Mayor (S257 LGA 2009)	
Description of Power - <i>Local Government Act 2009</i>	Section	Delegation Date	Condition(s)
Financial delegation to the amount of \$5,000.00 for entertainment purposed.		29/07/2014	
Power to negotiate, in consultation with the Review Panel previously appointed by Council, the terms and conditions of a new written contract of employment with the incumbent Chief Executive Officer	194 (3) & 193(4)	30/10/12	
Authority to enter into a new written contract of employment with the incumbent Chief Executive Officer	194 (3)	30/10/12	



### ***SCHEDULE 1: Miscellaneous Delegations to the Chief Executive Officer***

This table captures delegations From Council to the Chief Executive which have been made by Council resolution for a single purpose, at which point the delegation expires.

Powers Delegated			Delegations by Council to CEO (per s257 LGA 2009)	
Adopted Recommendation	Authorising Legislation	Section(s)	Delegation Date	Delegation Expiry
<ol style="list-style-type: none"> <li>1. In respect to tender number 12/WM/TEN001, Council accept the tender submitted by Sims Metal Management for the removal and recycling of scrap metal and non-ferrous metals from various Council sites;</li> <li>2. In respect to tender number 12/WM/TEN001, Council accept the tender submitted by Orbitas (Gold Coast Resource Recovery) for the removal and recycling of lead batteries from various Council sites; and</li> <li>3. Council delegate authority to the Chief Executive Officer to extend the contract prior to the expiration of the contract term as necessary, in accordance with contract provisions.</li> </ol>	<i>Local Government Regulation 2012</i>	Chapter 6	30 April 2014	3 June 2018
<ol style="list-style-type: none"> <li>1. Council accept the tender for the cleaning of public toilets and park facilities submitted by Brisbane Cleaning and Maintenance Services Pty Ltd;</li> <li>2. Council award Contract No 12/13/PAO005 for a period of 24 months, with an option for a further 12 months, for the amount of \$213,953.74 per annum (excluding GST) for the initial 12 month period. (Each additional year would include a CPI increase); and</li> <li>3. Council delegate to the Chief Executive Officer the decision for the option to vary the contract for an additional 12 month period.</li> </ol>	<i>Local Government Regulation 2012</i>	Chapter 6	28 May 2013	30 June 2015

Powers Delegated			Delegations by Council to CEO (per s257 LGA 2009)	
Adopted Recommendation	Authorising Legislation	Section(s)	Delegation Date	Delegation Expiry
<ol style="list-style-type: none"> <li>Council accept the tenders from Traffic Group Australia Pty Ltd, Able Secure Traffic Services and Customised Traffic Management as a panel of providers for the provision of traffic control services for the period 1 October 2013 to 31 August 2014; and</li> <li>Council delegate authority to the Chief Executive Officer (CEO) to extend the contract for a further 12 months prior to the contract term, in accordance with contract provisions.</li> </ol>	<i>Local Government Regulation 2012</i>	Chapter 6	27 August 2013	31 August 2014
<ol style="list-style-type: none"> <li>Council accept the tender from Trevor Prodger Pty Ltd, for the provision of Crushing of Gravel, for the period 1 October 2013 to 30 September 2015, and award a contract on the following basis: <ul style="list-style-type: none"> <li>Establishment per site (visit) No charge</li> <li>Wallace Creek Quarry \$7.50/m<sup>3</sup></li> <li>Harvey's Quarry \$7.50/m<sup>3</sup></li> <li>Wickman Quarry \$7.50/m<sup>3</sup></li> <li>Kings Quarry \$7.50/m<sup>3</sup></li> <li>Munchows Quarry \$7.50/m<sup>3</sup></li> <li>Schimkes Quarry \$7.50/m<sup>3</sup></li> </ul> </li> <li>Council delegate authority to the Chief Executive Officer to extend the contract for a further 12 months prior to the expiration of the contract term as necessary, in accordance with contract provisions.</li> </ol>			17 September 2013	30 September 2015

Powers Delegated			Delegations by Council to CEO (per s257 LGA 2009)	
Adopted Recommendation	Authorising Legislation	Section(s)	Delegation Date	Delegation Expiry
<p>1. Council resolve to endorse the following Infrastructure Agreements prepared for the Bromelton Regional Development Area, which outlines the key land holders obligations towards the infrastructure networks within the jurisdiction of Council:</p> <ul style="list-style-type: none"> <li>• Draft Bromelton Infrastructure Agreement - Scenic Rim Regional Council and Eureka 1 Project 9 Pty Ltd., Eureka 1 Project 19 Pty Ltd., &amp; Eureka 1 Project 20 Pty Ltd.; and</li> <li>• Draft Bromelton Infrastructure Agreement - Scenic Rim Regional Council and Fast Track Bromelton Pty Ltd. &amp; Nakheel SPV Pty Ltd.</li> </ul> <p>2. Council delegate to the Chief Executive Officer the authority to execute the separate Infrastructure Agreements (incorporating any necessary amendments that does not alter a landowners infrastructure obligations under the Agreements) prepared to be entered into with Eureka 1 Project 9 Pty Ltd., Eureka 1 Project 19 Pty Ltd., &amp; Eureka 1 Project 20 Pty Ltd., and Fast Track Bromelton Pty Ltd &amp; Nakheel SPV Pty Ltd respectively.</p>			28/01/2014	

Powers Delegated			Delegations by Council to CEO (per s257 LGA 2009)	
Adopted Recommendation	Authorising Legislation	Section(s)	Delegation Date	Delegation Expiry
<ol style="list-style-type: none"> <li>1. Council resolve to provide an interest free rating concession for ratepayers who meet the criteria for Financial Hardship and apply in writing in a form approved by Council. The conditions of the interest free rating concession are to remain consistent with the previous interest free monthly instalment program.</li> <li>2. Pursuant to s.257 of the <i>Local Government Act 2009</i>, Council delegate to the Chief Executive Officer the power to waive interest for ratepayers that meet the criteria and conditions for the interest free rating concession as outlined in this report.</li> <li>3. The interest free rating concession applies for the July-December 2014 rating period only.</li> </ol>	<i>Local Government Act 2009</i>	s257	24 June 2014	Once the rating period and appeals period for rating decisions has expired.
<ol style="list-style-type: none"> <li>1. Council express an interest to the Department of Natural Resources and Mines in accepting responsible of part of Lot 179 W311712 following its dedication as a road; and</li> <li>2. Council delegate authority to the Chief Executive Officer to finalise negotiations with the Department of Natural Resources and Mines in order for Council to accept responsibility of part of Lot 179 W311712 following its dedication as a road, subject to the Department of Transport and Main Roads accepting responsibility of part of Lot 179 for the purpose of continuity of Carneys Creek Road.</li> </ol>	<i>Not Identified</i>	Not Identified	29 July 2014	Once Negotiations are Finalised.

Powers Delegated			Delegations by Council to CEO (per s257 LGA 2009)	
Adopted Recommendation	Authorising Legislation	Section(s)	Delegation Date	Delegation Expiry
<ol style="list-style-type: none"> <li>1. Council award the contract for Tender No. 13/14/FRW0016 Restoration Works on Various Roads in Construction Package No 3_FD13 to Naric Pty Ltd for the sum of \$2,670,359.98 (excluding GST) on a Schedule of Rates basis;</li> <li>2. A contingency amount of \$270,000 (excluding GST) be approved for this contract to allow for possible latent conditions during the course of the contract; and</li> <li>3. Council delegate authority to the Chief Executive Officer to vary contract 13/14/FRW0016 for the inclusion of additional QLDRA approved projects to the value of \$200,000 (excluding GST).</li> </ol>	<i>Not Identified</i>	Not Identified	22 October 2014	Once the contract has completed.
<ol style="list-style-type: none"> <li>1. Council commence negotiations with the owner/s of Lot 1 RP64492 and Lot 5 RP49824 for the acquisition by agreement (compensation) of approximately 1,423m<sup>2</sup> and 1,653m<sup>2</sup> of land respectively for the purpose of a road;</li> <li>2. Council delegate power to the Chief Executive officer to settle those negotiations on the basis of an independent valuation by a Registered Valuer if necessary, with all survey, required fencing, associated legal and Title Office expenses being Council's responsibility; and</li> <li>3. In the event that settlement cannot be effected by agreement, Council proceed with compulsory resumption action by serving a Notice of Intention to Resume the land for road purposes in accordance with the <i>Acquisition of Land Act 1967</i>.</li> </ol>	<i>Local Government Act</i>  <i>Acquisition of Land Act 1967</i>	Not identified  Not Identified	25 November 2014	When acquisition completed

Powers Delegated			Delegations by Council to CEO (per s257 LGA 2009)	
Adopted Recommendation	Authorising Legislation	Section(s)	Delegation Date	Delegation Expiry
<ol style="list-style-type: none"> <li>1. Council commence negotiations with the owner/s of Lot 1 RP15075 for the acquisition by agreement (compensation) of approximately 100m<sup>2</sup> of land for the purpose of a road; and</li> <li>2. Council delegate power to the Chief Executive Officer to settle those negotiations on the basis of an independent valuation by a Registered Valuer, if necessary, with all survey, required fencing, associated legal and Title Office expenses being Council's responsibility.</li> </ol>	<i>Local Government Act</i>	Not identified	25 November 2014	When acquisition completed

**SCHEDULE 2: Conditions – Financial Delegations under section 262 the Local Government Act 2009**

Structural Level	Delegation Value	Conditions/Limitations
CEO <sup>1</sup>	≤ \$1,000,000.00 (or unlimited where Council has passed a resolution.)	<ol style="list-style-type: none"> <li>1. Subject to compliance with Council Policy: Procurement;</li> <li>2. Expenditure must be either allowed for in the adopted Budget or approved by Council at its next available meeting;</li> <li>3. Any disposal of council assets must be made in accordance with Council Policy: Asset Disposal;</li> <li>4. Power to write off debts to a value of up to \$1,000.00, with the write off of debts over \$1,000.00 requiring Council approval; and</li> <li>5. Authority to make credit card purchases is limited to a maximum amount of \$5,000.00 .</li> </ol>

**Notes**

<sup>1</sup>Without limiting the powers delegated to the CEO, normal operating practice is to refer any tender decision over \$200,000 to Council for approval.