



**AGENDA FOR ORDINARY MEETING
TO BE HELD IN COUNCIL CHAMBERS, BUNDABERG
ON TUESDAY 12 DECEMBER 2017, COMMENCING AT 10.00 AM**

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**Item****12 December 2017****Item Number:**

D1

File Number:**Part:**

EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Frequency and Place of Council Meetings

Report Author:

Nancy Launchbury, Senior Executive Assistant to CEO

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our People, Our Business - 3.6 Responsible and ethical leadership and governance.

Background:

Section 257 of The Local Government Regulation 2012, "Frequency and Place of Meetings" states:-

- (1) *A local government must meet at least once in each month;*
- (2) *...*
- (3) *All meetings of a local government are to be held:-*
 - (a) *at 1 of the local government's public offices; or*
 - (b) *for a particular meeting – at another place fixed by the local government, by resolution for the meeting.*

For 2018 it is proposed that:-

- (a) the first Council Meeting for 2018 be held on Tuesday, 30 January 2018, commencing at 10.00 am, and every fourth Tuesday thereafter (or as determined by Council);
- (b) Council Meetings be held outside of Council's Public Office on:-
 - 24 April 2018 - in Childers; and
 - 18 September 2018 - in Gin Gin.

Consultation:

The proposed meeting dates have been discussed with all Councilors.

Legal Implications:

There appear to be no legal implications.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There appear to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

- Yes
- No

Attachments:

Nil

Recommendation:

That the first Council meeting for 2018 be held on Tuesday, 30 January 2018, commencing at 10.00 am, and every fourth Tuesday thereafter (or as determined by Council).

Further, that Council meetings be held outside of Council's public office on:-

- **24 April 2018 - in Childers; and**
- **18 September 2018 - in Gin Gin.**

**Item****12 December 2017****Item Number:**

D2

File Number:**Part:**

EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Appointment of Acting Deputy Chair to Local Disaster Management Group

Report Author:

Nancy Launchbury, Senior Executive Assistant to CEO

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our Community - 1.5 Community safety and resilience in disaster events.

Background:

At the Post-Election meeting of Council held on 8 April 2016, Council appointed Cr JM Dempsey and Cr DJ Batt as Council's representatives on the Local Disaster Management Group as Chair and Deputy Chair respectively.

As a result of his election as State Member for Bundaberg, pursuant to Section 26 of the Local Government Electoral Act 2011, David Batt is no longer qualified to remain a councillor for the Bundaberg region, and a by-election for Division 8 will be conducted by the Queensland Electoral Commission within the period prescribed in the Act.

To ensure the smooth operations of Council in the event of an emergency situation it is important that another councillor be appointed to the position of Acting Deputy Chair of the Local Disaster Management Group until such time as Council appoints a permanent Deputy Chair.

Consultation:

This matter has been discussed with Councillors.

Legal Implications:

There appear to be no legal implications.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There appear to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

Yes

No

Attachments:

Nil

Recommendation:

That Cr JP Bartels be appointed as Council's Representative on the Local Disaster Management Group as Acting Deputy Chair.



Item

12 December 2017

Item Number: E1	File Number: .	Part: FINANCE
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Portfolio:

Organisational Services

Subject:

Financial Summary as at 22 November 2017

Report Author:

Anthony Keleher, Acting General Manager Organisational Services

Authorised by:

Anthony Keleher, Acting General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.1 A sustainable financial position.

Background:

In accordance with Section 204 of the *Local Government Regulation 2012* a Financial Report must be presented to Council on a monthly basis. The attached Financial Report contains the Financial Summary and associated commentary as at 22 November 2017.

Consultation:

Financial Services Team

Legal Implications:

There appear to be no legal implications.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There appear to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted. A Communication Strategy is:

Not required

Required

Attachments:

[↓](#) 1 Financial Summary as at 22 November 2017

Recommendation:

That the Financial Summary as at 22 November 2017 (as detailed on the 13 pages appended to this report) – **be noted by Council.**

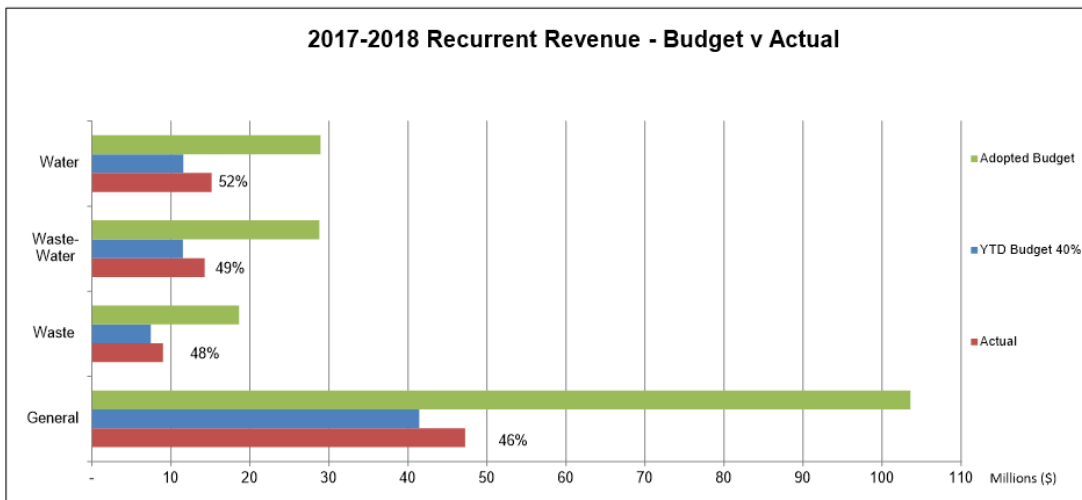
Financial Summary
as at 22 Nov 2017

Progress check - 40%	Council			General			Waste			Wastewater			Water		
	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud
Recurrent Activities															
<i>Revenue</i>															
General Rates and Utility Charges	74,934,720	152,294,430	49%	39,814,759	83,517,400	48%	7,237,072	14,369,000	50%	13,712,531	27,435,750	50%	14,170,358	26,972,280	53%
Less: Discounts and pensioner remissions	(4,146,158)	(8,327,900)	50%	(3,867,869)	(7,739,900)	50%	(95,002)	(200,000)	48%	(103,722)	(218,500)	47%	(79,565)	(169,500)	47%
	70,788,562	143,966,530	49%	35,946,890	75,777,500	47%	7,142,070	14,169,000	50%	13,608,809	27,217,250	50%	14,090,793	26,802,780	53%
Fees and Charges	9,832,798	24,500,418	40%	6,931,749	18,147,870	38%	1,743,420	4,308,348	40%	512,296	1,027,500	50%	645,333	1,016,700	63%
Interest Revenue	870,175	3,939,129	22%	232,253	2,123,529	11%	102,964	153,000	67%	123,580	551,600	22%	411,378	1,111,000	37%
Grants, Subsidies & Donations	4,053,558	7,531,291	54%	4,043,923	7,530,791	54%	4,487	500	897%	5,148	-	-	-	-	-
Sale of Developed Land Inventory	69,464	-	-	69,464	-	-	-	-	-	-	-	-	-	-	-
Total Recurrent Revenue	85,614,557	179,937,368	48%	47,224,279	103,579,690	46%	8,992,941	18,630,848	48%	14,249,833	28,796,350	49%	15,147,504	28,930,480	52%
<i>Expenses</i>															
Employee Costs	23,815,696	67,676,867	35%	18,644,907	53,873,536	35%	1,960,542	5,046,201	39%	1,791,569	4,858,050	37%	1,418,678	3,899,080	36%
Materials and Services	20,868,157	56,675,878	37%	12,981,159	31,142,752	42%	3,230,783	10,834,833	30%	1,979,085	7,060,539	28%	2,677,130	7,637,754	35%
Finance Costs	983,704	4,027,933	24%	416,073	1,665,823	25%	276,859	762,650	36%	246,145	1,287,860	19%	44,627	311,600	14%
Depreciation	21,005,629	44,079,053	48%	16,007,337	32,313,529	50%	490,788	947,516	52%	2,328,075	5,587,379	42%	2,179,429	5,230,629	42%
Total Recurrent Expenditure	66,673,186	172,459,731	39%	48,049,476	118,995,640	40%	5,958,972	17,591,200	34%	6,344,874	18,793,828	34%	6,319,864	17,079,063	37%
Operating Surplus	18,941,371	7,477,637		(825,197)	(15,415,950)		3,033,969	1,039,648		7,904,959	10,002,522		8,827,640	11,851,417	
<i>Transfers to</i>															
Restricted Capital Cash	5,138,780	3,363,693		-	-		-	-		5,138,780	3,363,693		-	-	
NCP Transfers	(1)	-		(5,505,247)	(13,212,591)		(825,941)	(1,982,258)		2,766,179	6,638,829		3,565,008	8,556,020	
Total Transfers	5,138,779	3,363,693		(5,505,247)	(13,212,591)		(825,941)	(1,982,258)		7,904,959	10,002,522		3,565,008	8,556,020	
Movement in Unallocated Surplus	13,802,592	4,113,944		4,680,050	(2,203,359)		3,859,910	3,021,906		-	-		5,262,632	3,295,397	
Unallocated Surplus (Deficit) brought forward from prior year(s)	15,525,267	15,525,267		(4,379,923)	(4,379,923)		5,652,180	5,652,180		3	3		14,253,007	14,253,007	
Unallocated Surplus (Deficit)	29,327,859	19,639,211		300,127	(6,583,282)		9,512,090	8,674,086		3	3		19,515,639	17,548,404	
Capital Activities															
<i>Council's Capital Expenditure (Excludes Donated Assets)</i>															
Council Expenditure on Non-Current Assets	38,121,085	131,542,636	29%	22,678,305	86,160,735	26%	1,541,646	5,013,550	31%	12,826,276	33,135,778	39%	1,074,858	7,232,573	15%
Loan Redemption	1,477,498	5,978,420	25%	930,952	3,881,024	24%	124,445	479,522	26%	344,110	1,333,219	26%	77,991	284,655	27%
Total Capital Expenditure	39,598,583	137,521,056	29%	23,609,257	90,041,759	26%	1,666,091	5,493,072	30%	13,170,386	34,468,997	38%	1,152,849	7,517,228	15%
Cash															
Opening balance	106,021,236	106,021,236													
Movement - increase/(decrease)	10,570,231	(25,794,377)													
Closing balance	116,591,467	80,226,859													

Further to the Financial Summary Report as at 22 November 2017, the following key features are highlighted. The following figures are based on the 1st Quarter Amended Budget.

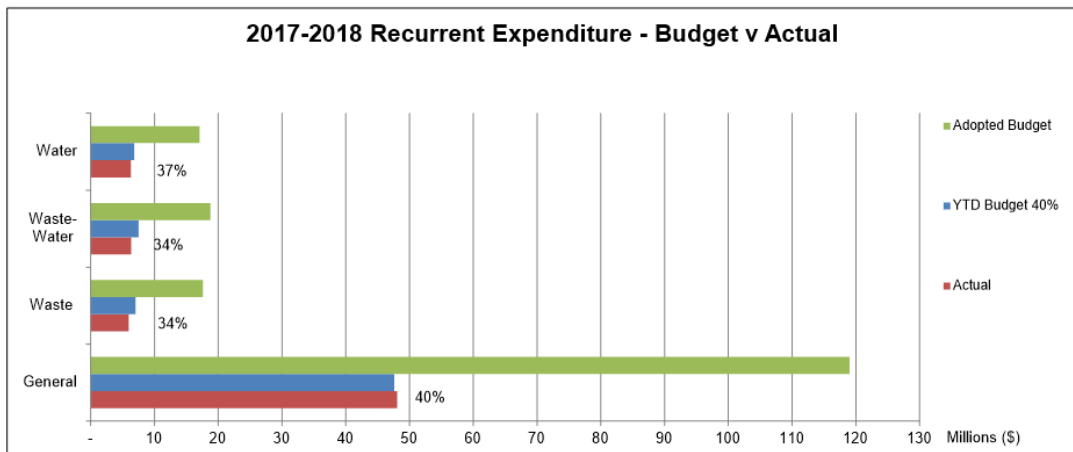
Recurrent Revenue

- Rates revenue is at 49% of budget. This will increase to 50% as prepaid rates are received in the lead up to the 2nd half year levy.
- Interest Revenue – The significant investments made when rates revenue was received, were for longer terms. Therefore, these will mature in the coming months and the revenue will be recognised at this time.
- Council received another \$1 million of Financial Assistance Grants during November.



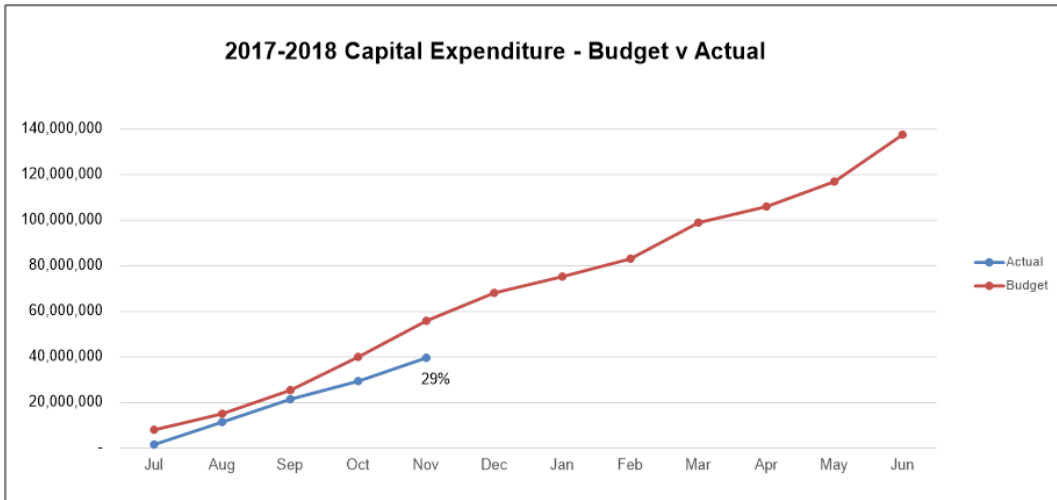
Recurrent Expenditure

- Employee costs are tracking slightly lower than budget when compared to the number of pay periods processed to date (38%). The 1st Quarter Amended Budget shows an increase in employee costs driven largely by an anticipated rise in staffing levels. This will be monitored with the continued appointment of officers in vacant positions, with further analysis being performed in early December.
- Finance costs to date are as expected with the next quarterly loan repayment due in December.
- The budgeted depreciation expenditure is apportioned evenly across the 12 months of the year and is processed every month. The actual depreciation amount is based on the original budget. The variance between year to date actual to budget will be adjusted during December.



Capital Expenditure

- Capital Expenditure is tracking lower than the budget forecast due to the rescheduling of work associated with the Rubyanna Wastewater Treatment Plant and various street revitalisation projects.
- Council is yet to take delivery of a number of fleet replacement items where orders have been placed. Therefore, there are no actual costs at this stage.

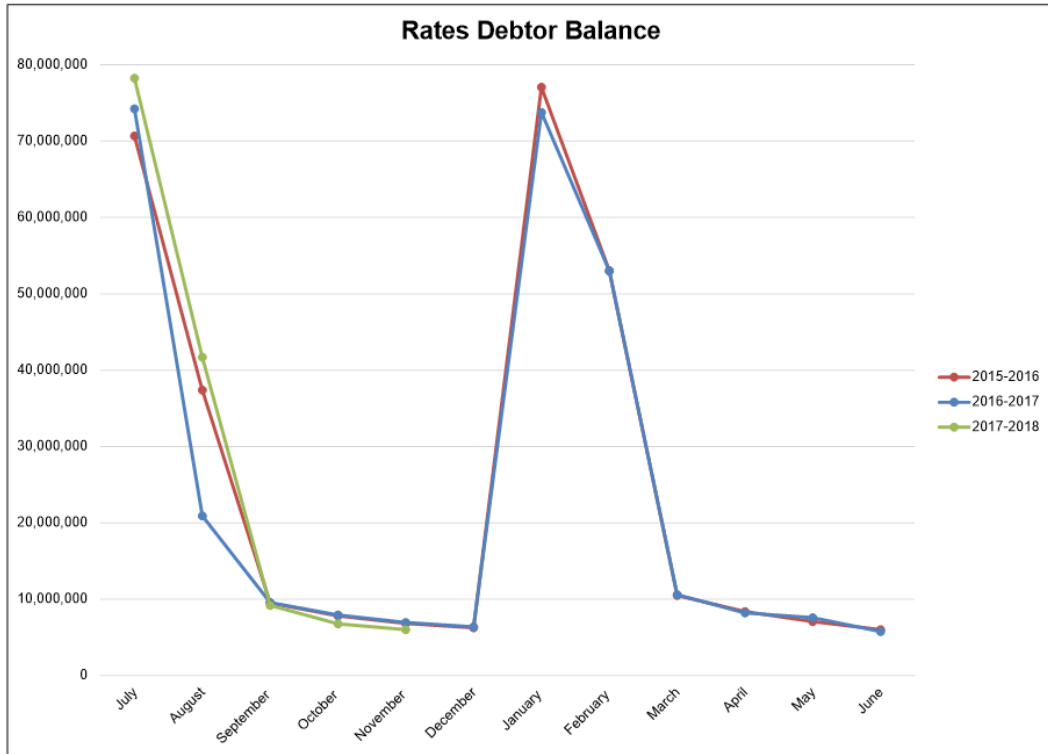


For more details regarding Capital Expenditure projects please refer to the summary of capital projects below.

Revenue Statistics

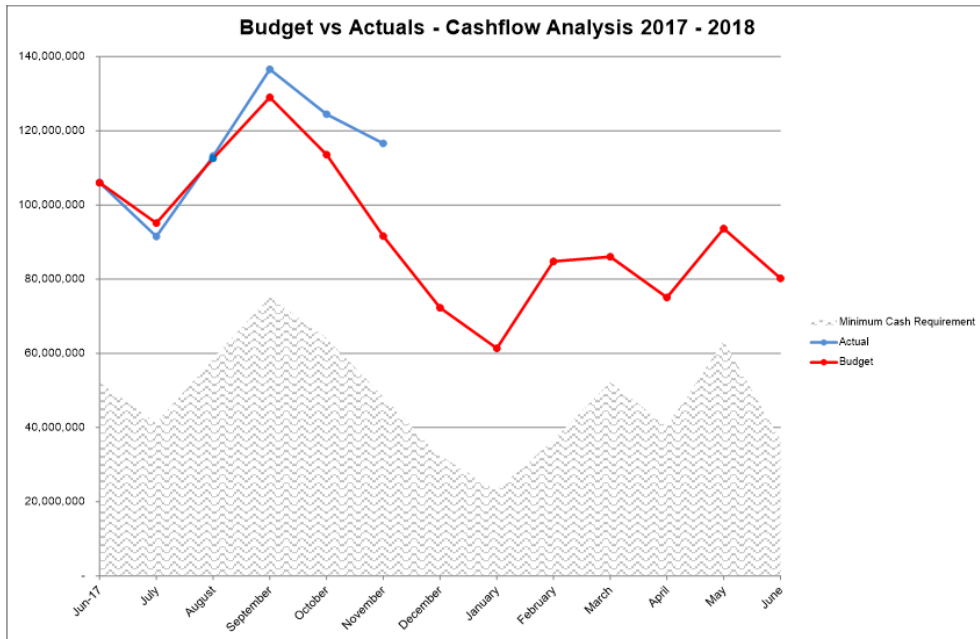
Rates Debtor

- The current rates levy totalling \$82.5 million was raised in July. At 22 November 2017, the rates debtor balance was \$6 million, compared to \$6.93 million at 30 November 2016. Improved debt collection processes have contributed to outstanding rates reducing from 9.05% last year to 7.26% this year.
- Council resolved at its ordinary meeting on 21 November to initiate final stage recovery action in relation to outstanding rates on 43 properties. This should see a reduction in the long-term rates debt balance over coming months.



Cash Flow

- The cash balance as at 22 November 2017 was \$116.5 million, a decrease of \$7.8 million from 31 October 2017.
- Overall, the current cash balance is \$14.4 million more than forecasted, as the financial year to date capital expenditure is not as much as anticipated.
- No short-term liquidity issues are foreseeable.



Moderate + High Governance Projects as at 24 November 2017

Projects with a budget exceeding \$500,000 over the life of the works

Project Description	Status *	% Complete	Monitor (Descriptor)	Life to Date				Financial Year 2018					
				Original Project Estimate (\$)	Adopted Budget (\$)	LTD Actuals (\$)	Est Final Cost (\$)	Adopted 2018 Budget (\$)	FY 2018 YTD Actuals (\$)	Committed (\$)	% Spend	Est Final Cost 2018 (\$)	Budget Variance (\$)
Major Projects													
Multi-Use Sport and Community Centre (Multiplex) Stage 1 Finalisation Costs	✓	95%	Costs associated with the finalisation of Stage 1 Contractor's Contract Sum.		374,611	100,214	374,611	350,000	75,604	-	22%	350,000	-
Multi-Use Sport and Community Centre (Multiplex) Stage 2	✓	95%	All main structural and roof components are complete including sports flooring and retractable seating. Internal finishes currently being finalised. Project hand over to commence 27 November 2017.	12,500,000	12,609,162	10,727,093	12,609,162	9,400,000	7,517,931	526	80%	9,400,000	-
Demolition of Skating Rink and Lessee Compensation	✓	2%	Demolition to occur 2017/2018	250,000	250,000	2,349	250,000	250,000	2,349	-	1%	250,000	-
Internal Roads and Intersections	★	100%	Costs have been finalised	3,115,118	3,115,118	3,115,118	3,115,118	-	-	-	0%	-	-
Multi-Use Sport and Community Centre (Multiplex) Stage 1	★	100%	Costs have been finalised	9,500,000	15,622,817	15,622,817	15,622,817	-	-	-	0%	-	-
			<i>Cost to Council</i>	<i>25,365,118</i>	<i>31,971,707</i>	<i>29,567,591</i>	<i>31,971,707</i>	<i>10,000,000</i>	<i>7,595,884</i>	<i>526</i>	<i>76%</i>	<i>10,000,000</i>	<i>-</i>
Bundaberg CBD Revitalisation	●	15%	Hassell Ltd is progressing with the design and documentation. Design is currently 15% complete. 30% hold point due 6 December 2017. Work is ongoing.		16,064,181	293,959	16,064,181	8,000,000	229,778	-	3%	8,000,000	-
Bundaberg CBD Streetscape Revitalisation - Non-Capital Costs	●			16,000,000	279,254	148,643	179,254	100,000	69,388	13,000	69%	100,000	-
			<i>Cost to Council</i>	<i>16,000,000</i>	<i>16,343,435</i>	<i>442,602</i>	<i>16,243,435</i>	<i>8,100,000</i>	<i>299,167</i>	<i>13,000</i>	<i>4%</i>	<i>8,100,000</i>	<i>-</i>
Mount Perry Flood Evacuation Route Upgrade	x	100%	Costs have been finalised. Revised Budget Request to be submitted to increase current financial year budget.	8,758,570	4,663,944	4,688,260	4,688,260	-	24,316	-	0%	24,316	24,316
Mount Perry Flood Evacuation Route Upgrade Complementary Works including Retaining Wall, Open Drain, Botanic Gardens Pit and Water Main	x	100%	Costs have been finalised	-	1,273,584	1,273,584	1,273,584	-	-	-	0%	-	-
			<i>Cost to Council</i>	<i>8,758,570</i>	<i>5,937,528</i>	<i>5,961,844</i>	<i>5,961,844</i>	<i>-</i>	<i>24,316</i>	<i>-</i>	<i>0%</i>	<i>24,316</i>	<i>24,316</i>
Burnett Heads CBD Revitalisation	✓	10%	Contract has been awarded to Devcon. Construction to commence by end of November. Design of additional Stage 2 works in progress.	3,259,707	4,962,003	381,858	4,962,003	4,800,000	219,855	40,047	5%	4,800,000	-
Burnett Heads CBD Sewerage Infrastructure	✓	10%	Contract has been awarded to Devcon. Construction to commence by end of November.	2,100,000	2,100,099	591	2,100,099	2,100,000	493	-	0%	2,100,000	-
			<i>Cost to Council</i>	<i>5,359,707</i>	<i>7,062,102</i>	<i>382,449</i>	<i>7,062,102</i>	<i>6,900,000</i>	<i>220,347</i>	<i>40,047</i>	<i>3%</i>	<i>6,900,000</i>	<i>-</i>
Staff Accommodation Strategy	✓	2%	Contract for Design is going out for Tender in December 2017.	6,200,000	200,000	1,464	6,200,000	200,000	1,464	-	1%	200,000	-
East Bundaberg Tourism Precinct	✓	5%	Concept design is complete. Request for quote for the detailed design has been issued and will close 30 January 2018. Final design and scope is contingent upon the outcome of grant applications.	457,000	1,005,652	22,240	1,005,652	1,000,000	16,588	-	2%	1,000,000	-

Moderate + High Governance Projects as at 24 November 2017

Projects with a budget exceeding \$500,000 over the life of the works

Project Description	Status *	% Complete	Monitor (Descriptor)	Life to Date				Financial Year 2018						
				Original Project Estimate (\$)	Adopted Budget (\$)	LTD Actuals (\$)	Est Final Cost (\$)	Adopted 2018 Budget (\$)	FY 2018 YTD Actuals (\$)	Committed (\$)	% Spend	Est Final Cost 2018 (\$)	Budget Variance (\$)	
Corporate Applications														
Core System Replacement Program - Initial Product Scope and Product Selection	✓		Focus is now on redeveloping the original Core Systems Program Business Case with key stakeholders to confirm the investment and expected outcomes to support the future change program		1,286,033	1,118,794	1,286,033	277,588	110,348	26,208	40%	277,588	-	
Core System Replacement Program	✓	15%			4,500,000	-	-	-	-	-	-	-	-	-
Rugged Tablets - Proof of Concept	★	100%		Costs have been finalised		10,000	10,000	10,000	-	-	-	0%	-	-
Software Programs	★	100%	Costs have been finalised		22,277	22,277	22,277	-	-	-	0%	-	-	
<i>Cost to Council</i>				4,500,000	1,318,310	1,151,070	1,318,310	277,588	110,348	26,208	40%	277,588	-	
Airports and Tourism														
Aviation Precinct - Construction of Stage 3	✓	10%	Detailed design and costings are complete. Contract for construction to go out to tender early 2018 with construction to commence March 2018.	1,000,000	1,438,675	206	1,438,675	1,438,675	206	-	0%	1,438,675	-	
Aviation Precinct - Construct Taxiway Alpha & Adjacent Aircraft Aprons	✓	10%	Detailed design and costings are complete. Contract for construction to go out to tender early 2018 with construction to commence March 2018.	420,000	2,270,300	-	2,270,300	2,270,300	-	-	0%	2,270,300	-	
<i>Cost to Council</i>				1,420,000	3,708,975	206	3,708,975	3,708,975	206	-	0%	3,708,975	-	
Waste Disposal Facilities														
Bundaberg Regional Landfill - (Cedars Road) - Cell 3	✓	50%	Currently under construction, minor delays in sourcing some materials, project expected to be completed by mid March 2018.	4,294,000	4,366,808	1,585,579	4,366,808	4,294,000	1,512,771	154,926	35%	4,294,000	-	
Ounaba Landfill Phytocapping Stage 1, Southern and Western Batters	✓	5%	Project Manager is developing a Business Case in line with the Project Decision Framework.	802,500	802,500	277	802,500	802,500	277	-	0%	802,500	-	
Roads and Drainage														
Baldwin Swamp Multi Modal Pathways - Que Hee Street to Bundaberg Ring Road	✓	10%	Currently negotiating final land resumptions. Project is currently being designed. Project will be delivered by day labour with construction continuing into 2018/2019.	1,000,000	1,016,641	26,002	1,468,641	1,000,000	9,361	-	1%	1,000,000	-	
Sprayed Bitumen Resurfacing Program	✓	75%	Construction has commenced and is due to be completed early December 2017.	1,470,000	1,470,000	26,352	1,470,000	1,470,000	26,352	-	2%	1,470,000	-	
Willis Street, Sharon - Burnett Downs Estate - Upgrade Drainage Work	✓	2%	Project is currently being designed.	650,000	650,000	7,837	650,000	650,000	7,837	13,853	1%	650,000	-	
Pine Creek Road - Roads Rehabilitation Program	✓	90%	Project is being delivered as part of the Roads Rehabilitation Program. Program is currently being delivered, to be completed by December 2017.	591,000	591,000	429,288	591,000	591,000	429,288	-	73%	591,000	-	
Scotland Street and Eastgate Street - Intersection Safety Improvements (BLACKSPOT)	●	90%	Construction activities are complete. Third party service relocations (NBN) still to be undertaken. Revised Budget Request to be submitted to increase current financial year budget.	360,000	621,348	662,962	701,092	580,000	621,614	38,130	107%	659,745	79,745	

Moderate + High Governance Projects as at 24 November 2017

Projects with a budget exceeding \$500,000 over the life of the works

Project Description	Status *	% Complete	Monitor (Descriptor)	Life to Date				Financial Year 2018					
				Original Project Estimate (\$)	Adopted Budget (\$)	LTD Actuals (\$)	Est Final Cost (\$)	Adopted 2018 Budget (\$)	FY 2018 YTD Actuals (\$)	Committed (\$)	% Spend	Est Final Cost 2018 (\$)	Budget Variance (\$)
Avoca Street/Branyan Drive - Provision and Upgrade of On-Road Cycle Facilities - Stage 2A	●	100%	Project is Practically Complete awaiting financial completion. Revised Budget Request to be submitted to reprovision funds from program work order to project work order.	700,000	700,000	282,996	282,996	558,740	141,737	-	25%	141,737	(417,003)
Avoca Street/Branyan Drive - Provision and Upgrade of On-Road Cycle Facilities - Stage 2B	●	10%	Project will be constructed by day labour which is currently scheduled for December 2017. Revised Budget Request to be submitted to reprovision funds from program work order to project work order.	-	-	1,153	417,003	-	1,153	58,920	0%	417,003	417,003
<i>Cost to Council</i>				700,000	700,000	284,149	700,000	558,740	142,890	58,920	26%	558,740	-
Asphalt Rejuvenation Program	✓	10%	Tender has been awarded to Roadwork Industries. Construction to commence early December 2018 and due to be completed end January 2018.	500,000	515,000	1,411	515,000	515,000	1,411	-	0%	515,000	-
Eggmolesse Street - Upgrade to Sealed Standard (Johanna Boulevard End)	✓	85%	Project is currently under construction. Due to be completed December 2017.	4,200,000	2,965,249	2,678,026	2,965,249	789,141	501,918	-	64%	789,141	-
Fitzgerald Street/ Eggmolesse Street, Norville - Construction of Roundabout - Works for Queensland Round 1	✓	70%	Construction is underway due to be completed mid January 2018. Schedule delays due to wet weather events and third party service relocations (NBN).	1,400,000	1,400,000	1,075,910	1,400,000	1,292,868	968,778	6,740	75%	1,292,868	-
Johnston Street, Avoca - Upgrade	✓	2%	Project is currently being designed. Drainage easement negotiations are continuing.	995,015	650,000	32,621	650,000	650,000	32,621	21,202	5%	650,000	-
Thabeban Stormwater Drainage Scheme - Stage 3	✓	2%	Project is currently being designed	1,308,000	3,700,000	64,088	3,700,000	3,648,123	12,211	59,850	0%	3,648,123	-
Thabeban Stormwater Drainage Scheme - Stage 2	★	100%	Costs have been finalised	-	446,697	446,697	446,697	-	-	-	0%	-	-
Thabeban Stormwater Drainage Scheme - Stage 1B	★	100%	Costs have been finalised	-	574,896	574,896	574,896	-	-	-	0%	-	-
<i>Cost to Council</i>				1,308,000	4,721,593	1,085,681	4,721,593	3,648,123	12,211	59,850	0%	3,648,123	-
Monduran Bridge	✓	95%	Project is Practically Complete awaiting financial completion	3,300,000	2,210,159	2,210,061	2,210,159	3,000	2,902	1,400	97%	3,000	-
Monduran Road Approach Road on East Side of Kolan River	✓	95%	Project is Practically Complete awaiting financial completion	-	611,012	601,225	611,012	150,000	140,214	640	93%	150,000	-
<i>Cost to Council</i>				3,300,000	2,821,171	2,811,287	2,821,171	153,000	143,116	2,040	94%	153,000	-
Ten Mile Road, Sharon - Upgrade and Widen	✓	5%	Total project has been separated into three stages. Stage 1 and 3 have been included in the existing RoadTek contract and will be completed by December 2017. Detailed design for Stage 2 is nearing completion. Stage 2 will be going to tender early December 2017 and will close mid January 2018. Construction will occur this financial year.	2,650,000	2,650,000	13,664	2,650,000	2,650,000	13,664	818	1%	2,650,000	-

Moderate + High Governance Projects as at 24 November 2017

Projects with a budget exceeding \$500,000 over the life of the works

Project Description	Status *	% Complete	Monitor (Descriptor)	Life to Date				Financial Year 2018					
				Original Project Estimate (\$)	Adopted Budget (\$)	LTD Actuals (\$)	Est Final Cost (\$)	Adopted 2018 Budget (\$)	FY 2018 YTD Actuals (\$)	Committed (\$)	% Spend	Est Final Cost 2018 (\$)	Budget Variance (\$)
Strategic Projects Co-ordination													
East Bundaberg Bio Hub Pipeline	✓	2%	Currently assessing the Head Agreement for the Project.	500,000	500,000	1,433	500,000	500,000	1,433	-	0%	500,000	-
Community Development													
Norville Pool Wet Edge - Works for Queensland	●	95%	Project Practically Complete awaiting financial completion. Revised Budget Request to be submitted to increase current financial year budget.	1,027,500	1,177,501	1,217,856	1,217,856	1,032,707	1,073,062	-	104%	1,073,062	40,355
Parks, Sport and Natural Areas													
Natural Themed Playground Botanic Gardens	✓	10%	Project is currently being designed and contract for construction will go out to tender in early 2018.	350,000	500,000	-	500,000	500,000	-	-	0%	500,000	-
Nanning Garden Upgrade	✓	90%	Construction commenced in February 2017. Project to be completed in December 2017. Project has been delayed due to rain event in April and material shipment delays.	1,189,098	1,189,098	917,981	1,189,098	824,118	553,001	3,000	67%	824,118	-
Water and Wastewater													
Smart Meter Trial	✓	10%	Council has endorsed the Project Plan. Expressions of Interest for installation of the Pilot will be advertised in December 2017.	8,000,000	8,000,000	52,803	8,000,000	1,299,544	52,347	73,410	4%	1,299,544	-
Heaps Street New Roof Structure	✓	20%	Project is currently being constructed. Due to be completed in December 2017.	800,000	800,000	-	800,000	800,000	8,194	-	1%	800,000	-
Gregory Water Treatment Plant Upgrade	✓	5%	Project is currently being designed. Design is 30% complete.	16,200,000	7,682,847	313,196	7,682,847	572,608	202,957	431,601	35%	572,608	-
Kalkie Water Treatment Plant Quality Upgrade	✓	5%	Project is currently being designed. Design is 30% complete.	3,100,000	8,000,000	222,953	8,000,000	572,699	195,652	431,601	34%	572,699	-
Innes Park Dry Sewers	✓	80%	Phase one has been completed. Phase two commenced with rectification of defects, to be completed by mid December 2017.	600,000	601,387	111,754	601,387	600,000	110,367	4,500	18%	600,000	-
Branyan WTP Clear Water Storage - New Roof Structure	✓	5%	Design has been completed. Contract for construction to go out to tender January 2018.	500,000	500,000	9,982	500,000	500,000	9,982	7,400	2%	500,000	-
Woodgate Vacuum Sewer Extension	✓	15%	Design has been completed. Tenders have closed and are currently being evaluated.	1,500,000	2,100,000	240,046	2,100,000	2,064,797	204,843	426,372	10%	2,064,797	-
Belle Eden Gravity Main Construction	✘	0%	Timelines are contingent upon Developer. Council Officers have received no further information at this time.	1,000,000	1,000,000	-	1,000,000	1,000,000	-	-	0%	1,000,000	-
Port Sewerage Infrastructure - Installation of Gravity Reticulation System	✓	80%	Equipment has been procured and will be installed after consultation with property owners.	780,000	506,378	256,319	506,378	280,000	29,941	-	11%	280,000	-

Moderate + High Governance Projects as at 24 November 2017

Projects with a budget exceeding \$500,000 over the life of the works

Project Description	Status *	% Complete	Monitor (Descriptor)	Life to Date				Financial Year 2018					
				Original Project Estimate (\$)	Adopted Budget (\$)	LTD Actuals (\$)	Est Final Cost (\$)	Adopted 2018 Budget (\$)	FY 2018 YTD Actuals (\$)	Committed (\$)	% Spend	Est Final Cost 2018 (\$)	Budget Variance (\$)
Coral Cove Sewer - Pebble Beach Drive New Pump Station, Rising Main and Gravity Main	✓		Pump testing is outstanding.	950,000	866,333	850,048	866,333	142,592	126,307	14,611	89%	142,592	-
Coral Cove Sewer - Easement Negotiations and Compensation	★	90%	Project is complete.	-	17,251	17,251	17,251	-	-	-	0%	-	-
Coral Cove Sewer - Pebble Beach Drive New Pump Station, Rising Main and Gravity Main Non Capital Costs	★		Project is complete.	-	43,667	45,050	45,050	-	1,382	-	0%	1,382	1,382
<i>Cost to Council</i>				950,000	927,251	912,349	928,633	142,592	127,690	14,611	90%	143,974	1,382
Rubyanna STP - Design and Construction of Plant	✓	90%	The water retaining structures at the Regional Pump Station and Rubyanna WWTP are complete. The mechanical and electrical installation is approximately 80% complete.		52,927,378	41,009,121	52,927,198	22,835,778	11,412,620	5,679	50%	22,835,778	-
Project Administration and Control (All Stages)	✓		Work is ongoing		1,005,000	842,176	1,005,000	109,593	11,826	44,778	11%	109,593	-
Non Capital Costs for Design and Construction of Plant	○		Work is ongoing		234,373	234,554	234,554	-	181	-	0%	181	181
Decommissioning of Bundaberg East WWTP	✓	5%	Initial decommissioning works will commence in January 2018 to seed Rubyanna WWTP. Further activities will be undertaken to decontaminate East WWTP once Rubyanna WWTP comes online.		1,800,000	14,184	1,800,000	500,000	5,767	-	1%	500,000	-
<i>Cost to Council</i>				92,726,237									
Purchase of Land	★	100%	Costs have been finalised		2,667,537	2,667,537	2,667,537	-	-	-	0%	-	-
Rubyanna STP Concept Study	★	100%	Costs have been finalised		53,700	53,700	53,700	-	-	-	0%	-	-
Rubyanna STP - Trunk Pipelines Concept Design and Survey	★	100%	Costs have been finalised		7,057,331	7,057,331	7,057,331	-	-	-	0%	-	-
Rubyanna WWTP River Outfall	★	100%	Costs have been finalised		4,495,809	4,495,809	4,495,809	-	-	-	0%	-	-
Rubyanna WWTP Pipelines - Springhill Road to RWWTP	★	100%	Costs have been finalised		487,880	487,880	487,880	-	-	-	0%	-	-
Rubyanna WWTP Pipelines - Darnell Street Sewerage Cutting	★	100%	Costs have been finalised		321,020	321,020	321,020	-	-	-	0%	-	-
<i>Cost to Council</i>				92,726,237	71,050,028	57,183,312	71,050,028	23,445,371	11,430,393	50,458	49%	23,445,552	181

Status	Indicator	Indicator Meaning
On track	✓	Initiative is proceeding to plan with no indication of future impediments
Completed	★	Initiative has been completed
Monitor	○	Progress is not as expected but action is being/taken and is expected to be on track within the next quarter or financial year
Action Required	✘	Progress is significantly behind schedule or is rated 'closely monitor'. Decisive action is required to get back on track

Please note that completed projects may still have outstanding costs

Capital Grants - Life to Date as at 24 November 2017

Project Description	Funding Name	Total Approved Funding	LTD Grant Income Actuals	Percentage Received	Total Approved Expenditure	LTD Grant Expenditure Actuals	Percentage Spend	Approved Cost to Council	Current Actual Cost to Council	Funding Completion Date	Comments
Major Projects											
Multi-Use Sports and Community Centre - Stage 2	Building Our Regions	5,000,000	4,000,000	80%	12,260,000	10,727,093	87%	2,260,000	4,227,093	14/02/2018	Milestone 3 has been submitted and is currently being assessed. Payment due in December 2017.
	Community Development Grant	5,000,000	2,500,000	50%							Milestone 3 will be submitted in December 2017. Payment due in January 2018.
Burnett Heads CBD Revitalisation	Building Our Regions	3,320,677	1,660,000	50%	6,641,355	381,858	6%	415,410	(1,278,142)	1/10/2018	Milestone 2 will be submitted in April 2018. Payment due in May 2018.
	Building Better Regions Fund	2,905,268	-	0%						30/06/2018	Milestone 1 will be submitted in April 2018. Payment due in May 2018.
Wastewater											
Rubyanna Sewerage Treatment Plant	Building Our Regions	5,000,000	4,250,000	85%	62,050,000	41,009,121	66%	57,050,000	36,759,121	30/07/2018	Final claim will be submitted for payment on completion of the project. Please note that total approved expenditure refers to the minimum expenditure required by the Grant funding.
Roads and Drainage											
Kay McDuff Drive Extension	Heavy Vehicle Safety and Productivity Programme Round Five	1,407,166	985,016	70%	2,766,657	2,481,699	90%	-	516,275	31/07/2017	Heavy Vehicle Safety and Productivity Programme Round Five final claim to be submitted and paid in December 2017.
	TIDS	1,359,491	980,408	72%							Further TIDS funding approved for 18/19 Financial Year.
New Monduran Bridge over Kolan River	Bridges Renewal Programme	1,590,000	1,200,000	75%	3,253,471	2,811,287	86%	-	207,950	31/08/2017	Bridges Renewal Programme final claim to be submitted in December 2017. Payment due in January 2018.
	TIDS	1,663,471	1,403,337	84%							Project savings have resulted in a reduction in revenue. Further TIDS funding approved for 18/19 and 19/20 Financial Year.
Eggmolesse Street - Upgrade to Sealed Standard (Johanna Boulevard End)	TIDS	258,407	258,407	100%	3,258,407	2,678,026	82%	-	(482,962)	30/06/2018	Next Milestone payment due in January 2018.
	Roads to Recovery	3,000,000	2,902,581	97%							Further TIDS funding approved for 18/19 and 19/20 Financial Year.

Capital Grants - Life to Date as at 24 November 2017

Project Description	Funding Name	Total Approved Funding	LTD Grant Income Actuals	Percentage Received	Total Approved Expenditure	LTD Grant Expenditure Actuals	Percentage Spend	Approved Cost to Council	Current Actual Cost to Council	Funding Completion Date	Comments
On-Road Cycle Facilities (PCNP) on Avoca Street/Branyan Drive	Cycle Network Local Government Grants Program	392,500	294,375	75%	884,500	282,996	32%	492,000	(11,379)	28/02/2018	50% funding received at execution of agreement. Milestone 1 has been received and the final claim will be submitted for payment on completion of the project.
Windermere Road Culvert	National Disaster Resilience Program	327,600	294,840	90%	546,000	698,524	128%	218,400	403,684	24/11/2017	Final claim will be submitted in December 2017. Payment will be received once submission is assessed.
Scotland Street/Eastgate Street - Intersection Safety Improvements	BLACKSPOT	630,000	205,000	33%	630,000	662,962	105%	-	457,962	30/06/2017	50% funding received at execution of agreement. The final 50% will be received on completion of the project. Total Approved Funding has been increased from \$410,000.
Pathway Que Hee Street to Ring Road	Get Playing Plus	739,900	-	0%	1,479,800	26,002	2%	739,900	26,002	30/09/2018	Funding is received progressively during construction. First Milestone payment due December 2017.
Quay Street East/Scotland Street - Pathway Principal Cycle Network Plan	Cycle Network Local Government Grants Program	151,374	75,687	50%	302,748	3,490	1%	151,374	(72,197)	30/06/2018	50% funding received at execution of agreement. A further 25% will be received upon commencement of the project. The final 25% will be received at project completion.
Woondooma Street/Tanlitha Street - Intersection Safety Improvements	BLACKSPOT	334,000	167,000	50%	334,000	8,077	2%	-	(158,923)	30/06/2018	50% funding received at execution of agreement. The final 50% will be received on completion of the project.
Woondooma Street/Targo Street - Intersection Safety Improvements	BLACKSPOT	291,500	145,750	50%	291,500	5,563	2%	-	(140,187)	30/06/2018	50% funding received at execution of agreement. The final 50% will be received on completion of the project.
Payne Street/Warrell Street - Intersection Safety Improvements	BLACKSPOT	142,500	71,250	50%	142,500	5,450	4%	-	(65,800)	30/06/2018	50% funding received at execution of agreement. The final 50% will be received on completion of the project.
Ten Mile Road Widening	Roads to Recovery	2,650,000	300,000	11%	2,650,000	13,664	1%	-	(286,336)	30/06/2018	Next Milestone payment due in January 2018.
Works for Queensland											
Works for Queensland - Round 1	Works for Queensland	10,676,000	9,608,400	90%	10,676,000	10,747,370	101%	-	1,138,970	31/12/2017	Final Milestone to be submitted and paid in December 2017.
Works for Queensland - Round 2	Works for Queensland	10,573,000	5,286,500	50%	10,573,000	353,861	3%	-	(4,932,639)	30/06/2019	50% funding received at execution of agreement. A further 40% will be received upon expending the initial allocation. The final 10% will be received on completion of the project.



Item

12 December 2017

Item Number:	File Number:	Part:
F1	GP-3-097	GOVERNANCE & COMMUNICATIONS

Portfolio:

Organisational Services

Subject:

Amendment to Alcohol and Drug Policy

Report Author:

Steve Jarron, Manager People & Culture

Authorised by:

Anthony Keleher, Acting General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.4 Safe working environments and a skilled workforce committed to delivering quality services.

Background:

The Alcohol and Drug Policy was introduced in 2012 and has been reviewed and amended on a regular basis to ensure its effectiveness and relevance to Council. As part of the consultation process for workplace health and safety matters, a request was made to the Corporate Safety Committee to review and update the policy in line with industry practice beyond local government.

Revision to the policy include:

- minor formatting/grammar corrections;
- Section 4.2 – new definition added for ‘Random timing testing’, ‘Heavy Rigid licences’ and ‘Heavy Combination licences’;
- Section 4.6 – new section e) Random timing testing.

Random Timing Testing

The current provision of random alcohol and drug testing of 10% of employees over a 12 month period is not:

- in keeping with industry practice in the waste collection and disposal industry for garbage truck drivers;
- reasonable given the level of risk due to the size of the plant and vehicles being operated and/or driven by these employees, who are either on the road, or operating within our public waste and recycling facilities for most of their day.

The inclusion of random timing testing is to ensure all employees in the specific Council roles mentioned above are tested for alcohol and drug use over a 12 month period.

The existing provisions for alcohol and drug testing before employment, after incidents or accidents or due to a reasonable concern about an individual, remain unchanged.

Associated Person/Organization:

Unions who are parties to the Bundaberg Regional Council Certified Agreement 2011:

- Association of Professional Engineers, Scientists & Managers Australia (APESMA)
- Australian Metalworkers Workers Union (AMWU)
- Australian Workers Union Qld (AWU)
- Construction, Forestry, Energy & Mining Union Qld/NT (CFMEU)
- Electrical Trades Union (ETU)
- Plumbers Union Qld
- The Services Union Qld (TSU)
- Transport Workers Union Qld (TWU)

Consultation:

Portfolio Spokesperson: Cr Helen Blackburn, Governance & Communications has been consulted.

Various Council staff and external parties, including the following:

- Corporate Safety Committee, March 16 2017;
- Executive Leadership Team, April 27 2017;
- Employees in Collection Services Plant Operator roles (ie garbage truck drivers);
- Employees in Landfill Plant Operator roles (ie drivers of semi-trailers, water trucks, excavators, dozers and loaders within Council's waste and recycling facilities or on the open road);
- Roads & Drainage Operations Supervisors & Coordinators (responsible for the drivers and operators of street sweepers, vehicle floats and bogie drive trucks on the open road);
- Joint Consultative Committee, 29 June 2017. The Joint Consultative Committee includes the Executive Leadership Team, 6 employee representatives and Union officials.

Legal Implications:

There appear to be no legal implications. Employees who are required to have a Heavy Rigid or Heavy Combination licence to perform these roles are also required to maintain a blood alcohol level of 0.0 and be drug free to maintain their licence issued by the Queensland government.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There are currently 37 employees in these specific roles who will be randomly tested for alcohol and drugs over a 12 month period.

The additional cost associated with this change is expected to be accommodated within the existing operational budget for alcohol and drug testing with Workplace Health & Safety.

The alcohol and drug testing will be conducted by Council's approved provider, Sullivan Nicolaides Pathology.

Risk Management Implications:

The purpose of randomly testing all employees in these roles over a 12 month period for alcohol and drug use is to:

- Act as an additional deterrent to our staff beyond their licence obligations, by setting the expectation they will be randomly tested for alcohol and drugs within a 12 month period.
- Improve our duty of care to employees, colleagues and the public, both on the road and at Council waste and recycling facilities.

Communications Strategy:

Communications Team consulted.

Yes

No

Attachments:

[↓](#) 1 Alcohol and Drug Policy

Recommendation:

That the revised Alcohol and Drug Policy (GP-3-097), (as detailed on the 13 pages appended to this report), be adopted by Council.

Bundaberg Regional Council
Organisational Services
Issue Date:
Review Date: 29-09-2017

Alcohol and Drug Policy

GP-3-097

Rev. 6 (Draft)

1.0 INTENT

Our vision is for Bundaberg Regional Council to be a vibrant, progressive, connected and sustainable workplace. Council is committed to providing a safe and productive work environment for all personnel and the community.

Council recognises that impairment due to alcohol or drug use limits the ability of individuals to perform their work safely and may risk the health and safety of others. This impairment can be due to the effect of prescribed medication, alcohol or drugs.

Council's focus is to ensure fitness for work for all personnel and this Policy is designed to put in place safeguards for individuals and Council to deal with potential instances of impairment amongst personnel in a fair, professional and consistent manner.

2.0 SCOPE

This Policy applies to all personnel of Council including:

- a) Employees
- b) Volunteers
- c) Work experience and vacation students
- d) Labour hire personnel
- e) Contractors and consultants
- f) Elected representatives

There are additional requirements for employees working "Airsides" or in aviation "Sensitive Areas" which are provided in the Drug and Alcohol Management Plan - Airport (MP-7-001).

This Policy should be read and applied in accordance with the Employee Code of Conduct (GP-3-031) and Work Health and Safety Policy Statement (MD-3-001).

3.0 POLICY OBJECTIVES

The objectives of this policy are to:

- a) Ensure personnel experiencing difficulties with prescribed medication, alcohol or drugs receive external services and support.
- b) Set standards to protect personnel and the public from injury as a result of impairment of Council personnel due to the use of prescribed medication, drugs or alcohol.
- c) Set standards to protect Council assets and equipment from damage or misuse as a result of impairment due to the use of prescribed medication, drugs or alcohol.
- d) Set a standard of behaviour for personnel who represent Bundaberg Regional Council at external functions in order to protect the reputation of Council.

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4.0 POLICY

4.1 Definitions

Employee, a person directly engaged by Bundaberg Regional Council, and includes those who hold positions as a Supervisor, Team Leader, Manager, General Manager, Chief Executive Officer etc.

Contractor, a person engaged under a contract to supply services to Bundaberg Regional Council.

Approved Provider, is a supplier who has been assessed by Council as having the technical, financial and managerial capability necessary to perform contracts and in accordance with agreed requirements.

Supervisor, is a generic term for a person responsible for the work of a team, branch or department. Supervisor includes all leadership roles such as Team Leader, Coordinator, Manager, Group Manager, Branch Manager, General Manager and Chief Executive Officer.

Personnel, individuals carrying out duties for or on behalf of Bundaberg Regional Council such as elected representatives, employees, contractors, volunteers, work experience students or labour hire personnel.

Volunteer, a person who chooses to perform duties on behalf of Bundaberg Regional Council without receiving any compensation.

Illegal drugs, are drugs prohibited by federal or Queensland law.

Legal drugs or prescribed medication, are drugs prescribed by a medical practitioner and some types will cause impairment and an individual to fail a drug test.

Workplace, all locations where work is performed by Council employees, elected representatives, contractors, labour hire personnel and volunteers.

Random testing, is an ad-hoc testing of 10% of Council personnel over a 12 month period. The responsibility for selecting the teams to be tested and/or the individuals of those teams to be tested rests with the Corporate Safety Committee. The Corporate Safety Committee may delegate this task to the Manager People & Culture in accordance with Organising Random Alcohol & Drug Testing (WI-7-614).

Random timing testing is where 100% of Collections Services Plant Operators, Landfill Plant Operators and Truck Operators (bogie drive trucks) will be randomly tested over a 12 month period. All these employees are required to have a 0.0 Blood Alcohol level and be drug free to maintain the appropriate Heavy Rigid or Heavy Combination licence. The responsibility for selecting which employees are randomly tested at a particular time out of these groups rests with the Corporate Safety Committee. The Corporate Safety Committee may delegate this task to the Manager People & Culture in accordance with Organising Random Alcohol & Drug Testing (WI-7-614).

High Risk work licences, are prescribed under Schedule 3 of the *Work Health and Safety Regulation 2011* which are:

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- Scaffolding
- Dogging and rigging
- Crane and hoist operation
- Reach stackers
- Forklift operation
- Pressure equipment operation

Heavy Rigid (HR) licences are issued by Queensland Transport for a:

- Class Medium Rigid vehicle
- Bus or truck (including a prime mover or a mobile crane) over 8t GVM with more than 2 axles
- Trailer with a maximum weight of 9t GVM

Heavy Combination (HC) licences are issued by Queensland Transport for a:

- Class HR vehicle
- Truck (including a prime mover or mobile crane) over 8t GVM with a trailer of more than 9t GVM

Traffic Controllers, are personnel issued with a Traffic Controller licence by Queensland Transport.

Earth moving equipment, are items of plant which Council has to verify the employee is competent to operate.

Firearms, a rifle, pistol or other portable gun that requires the operator to be licenced under the *Weapons Act 1990* and that is used by Local Laws Officers, Land Protection Officers, Airport Reporting Officers and Airport Operations Supervisor for the controlled management of feral and non-feral animals and birds.

On-call employees, are those who are rostered to be available to attend work or work remotely outside normal working hours and are paid an on-call allowance.

Undue intoxication, a person may be taken to be unduly intoxicated if the person's speech, balance, coordination, or behaviour is noticeably affected.

4.2 Prescribed Medication

Council recognises that from time to time, personnel may need to take prescription medication in order to treat an illness or injury. Prescribed medication may have side effects that reduce an individuals ability to perform their duties safely and these side effects are usually listed on the medication packet. Personnel should ask their medical practitioner if the medication will affect their ability to do their job safely.

If an employee is in a high risk role, it is the individuals responsibility to inform their Supervisor if they are taking prescription medication which may affect their ability to safely perform their role. This enables the Supervisor to put in place actions to reduce the risk, such as allocating other duties. Supervisors will treat this information in a confidential manner and focus on risk mitigation for the individual and the team.

For individuals whose normal duties are to operate plant, machinery or drive a vehicle and are taking a course of prescribed medication which may affect their

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ability to safely perform their role, their Supervisor can request the individual to provide a clearance from their medical practitioner.

If as a result of taking such medication, the individual is, or observed to be, unable to perform their duties safely, the individual may be directed by their Supervisor to:

- a) Cease work immediately.
- b) Leave the work area and be transported home until cleared by a medical practitioner to return to work.
- c) Access any Sick Leave until cleared by the medical practitioner to safely return to work.
- d) Perform other duties until cleared by a medical practitioner.

4.3 Alcohol

4.3.1 Consumption of Alcohol Outside Normal Work Hours

From time to time, personnel are required to represent the Council at business, community or social events. Personnel need to behave in a professional manner and 'undue intoxication' will not be tolerated.

Personnel are responsible for their own behaviour and alcohol consumption when attending such functions. This requires the exercising of judgement by an individual to ensure they behave appropriately and in accordance with the Employee Code of Conduct (GP-3-031).

Even off-duty intoxication is no excuse for a breach of the Employee Code of Conduct (GP-3-031) and Workplace Harassment and Bullying Policy (GP-3-015). A breach of these policies, whether under the influence of alcohol or not, may result in disciplinary action.

Supervisors who attend such functions have a responsibility to monitor and if necessary, restrict alcohol consumption by personnel.

4.3.2 During Work

The consumption of alcohol on Council premises is not permitted without prior approval of the Chief Executive Officer.

Personnel attending a training course, conference or seminar, are not to charge the cost of any alcoholic beverages to Council. This includes any alcohol consumed with meals or from the minibar at the accommodation.

The maximum limits for alcohol levels for personnel whilst on duty are:

- 0.00g/100 mls Blood/Breath Alcohol Count (BAC) for personnel engaged in classes of high risk work and plant operations, including:
 - a) Truck/bus/tractor drivers operating a vehicle that requires a light rigid, medium rigid, heavy rigid, heavy combination and combination licence.
 - b) Plant operators operating any high risk plant as defined in Work Health & Safety legislation that requires a certificate/licence issued by Work Health & Safety Queensland.

- c) Plant operators operating earth moving equipment which are front end loaders, backhoes, skid steer loaders, excavators, dozers, road rollers, scrapers and graders regardless of engine capacity.
- d) Traffic Controllers.
- e) Local Laws Officers, Land Protection Officers, Airport Reporting Officers and Airport Operations Supervisor.
- A BAC of less than 0.02g/100 mls for airport personnel, including working airside or in sensitive areas.
- A BAC of less than 0.05g/100 mls (which is the legal driving limit) for Personnel who are rostered on-call, regardless of whether they are actually re-called to work or need to work remotely.
- A BAC of less than 0.05g/100 mls for all other personnel. This is deemed by Council to ensure personnel are fit for work, regardless of whether they need to operate plant, machinery or drive a vehicle.

Personnel are not to store alcohol on Council premises, unless they receive prior approval from the Chief Executive Officer or Delegated Officer, even if it will be consumed outside Council premises or after work.

4.3.3 Sale of Alcoholic Beverages on Council premises

The sale of alcoholic beverages is not allowed without prior approval of the Chief Executive Officer and possession of the appropriate liquor licence from the Office of Liquor and Gaming Regulation.

4.4 Drugs

The use, possession, distribution, purchase or sale of illegal drugs, during work or on Council premises, is prohibited. This conduct is grounds for disciplinary action and referral to the Queensland Police Service. Additionally, the misuse, sale (other than by a pharmacy) or distribution of controlled drugs, during work or on Council premises is also prohibited and is grounds for disciplinary action.

If personnel are, or are suspected to be, supplying, selling or distributing illegal drugs, Council will refer the matter to the Queensland Police Service.

Personnel who work at the airport, either airside or in sensitive areas, who are found to have a concentration of a testable drug that is specified in a legislative instrument made by Civil Aviation Safety Authority (CASA) will also be subject to disciplinary action.

Should personnel be convicted for the use, possession, distribution, purchase or sale of illegal or controlled drugs, Council reserves the right to review their suitability for ongoing employment and will consider the matter on a case by case basis.

4.5 External Support for Coping with Alcohol and Drug Use

If personnel would like professional assistance in dealing with alcohol or drug use, they can contact a member of the Human Resources team to arrange a referral to the Employee Assistance Program (MD-7-474).

Personnel can receive up to 5 sessions with a qualified counsellor. The cost is met by the People & Culture branch and the reason for the counselling sessions and the content of the discussions remain confidential between the counsellor and the individual.

A Supervisor may wish to offer the Employee Assistance Program (MD-7-474) to a team member in order to provide external, professional support. The Supervisor can contact a member of the Human Resources team to arrange for the referral.

4.6 Testing

Council may direct personnel or potential personnel, to participate in testing for alcohol and drug use in the following situations:

a) Pre-Employment. Shortlisted candidates, including existing personnel for high risk roles. High risk roles include:

- Airside or airport operators;
- Plant and machinery operators;
- Fire arms operators.

This also includes roles where a Council vehicle is provided as part of the employment package.

Pre-employment tests can decrease the chance of hiring a substance abuser and are a strong deterrent to discourage current users from seeking employment at Council. The Human Resources team will arrange for the testing to be conducted at the approved provider's premises as part of the selection process.

Candidates will be asked to provide a urine sample for drug use and participate in a breath test for alcohol. If a candidate provides a positive sample above the blood alcohol limit for a role they have applied for, or for an illegal drug, they will not be offered employment

b) Post Accident/Incident (an incident in a Council vehicle or whilst operating plant at a workplace). Personnel involved in accidents or injuries may be asked by either the Police, Workplace Health & Safety Queensland or Council's Workplace Health & Safety team to undertake an alcohol and drug test directly after an incident to determine if alcohol or drug use was a factor. These tests may be necessary for legal or insurance purposes even if the accident does not appear to be drug or alcohol related. The Workplace Health & Safety team will arrange for the oral/saliva test for drug use and a breath test for alcohol to be conducted at an approved provider as soon as possible.

c) Reasonable Concern. Personnel will undertake an alcohol and drug test if there is a complaint of reasonable concern lodged with the individuals Supervisor or

a Workplace Health & Safety representative. Oral/saliva testing will be used for drug use and a breath test for alcohol.

Reasonable concern would involve evidence as:

- Direct observation of use or possession
- Physical symptoms of being impaired
- Patterns of abnormal or erratic behaviour or
- Arrests or convictions for drug related offences.

d) Random testing. Personnel may be required to undertake an alcohol or drug test if random testing is carried out at their location. Random testing will be authorised by the Corporate Safety Committee to ensure the choice of roles and locations tested are completely random and seen to be random to achieve 10% testing of staff over a 12 month period. Oral/saliva testing will be used for drug use and a breath test for alcohol.

e) Random timing testing. 100% of personnel in the roles of Collection Services Plant Operator (Waste & Recycling), Landfill Plant Operator (Waste & Recycling) and Truck Operators - bogie trucks (Roads & Drainage) will be tested over a 12 month period. Random timing testing will be authorised by the Corporate Safety Committee to ensure the timing of testing of staff is completely random and seen to be random. Oral/saliva testing will be used for drug use and a breath test for alcohol.

f) The Civil Aviation Safety Authority (CASA) will from time to time require samples from personnel who work Airside or in Aviation Sensitive Areas. Samples could be oral fluids, breath, urine or blood.

Refer to Drug and Alcohol Management Plan - Airport (MP-7- 001).

4.6.1 Reasonable Concern

If an individual suspects a member of personnel is impaired by drugs or alcohol at work, the individual should contact their Workplace Health & Safety Representative or the person's Supervisor. The Supervisor shall:

- a) Arrange for a Workplace Health and Safety Officer (WHSO) and themselves to meet with the individual who has raised the concerns and assess the the evidence. The Supervisor and the WHSO shall make an assessment if required, in a similar way to two individuals contributing to a risk assessment. The Supervisor may ask the local WHSO to participate in the assessment also. If they believe the concern is valid, then the Supervisor is to arrange for the individual to cease work.
- b) Direct the individual to cease work immediately and remove the individual from the work area.
- c) Contact the Work Health & Safety Team Leader, who will arrange for the individual suspected of being impaired, to be taken to the approved provider to conduct a breath alcohol test and oral/saliva sample for drug testing as soon as possible.
- d) Take the individual to an off site, approved provider for testing.

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- e) Arrange for the individual to be transported home until the test results are available. Employees can access Personal Leave until the test results are available and if they provide negative test results.

If an individual suspects their Supervisor is impaired by drugs or alcohol at work, the process is the same except that the individual should contact the Work Health & Safety team, who will follow the above steps.

4.6.2 Post Accident/Incident

Personnel will be personally liable for any costs or damage to Council equipment if they void insurances as a result of drug or alcohol use.

Personnel may be personally liable if they are involved in a motor vehicle accident (commuting to or from work, or during work) and if found to have consumed drugs or be over the legal alcohol driving limit.

4.6.3 Refusal to Test

Refusal to provide a sample for either an alcohol or drug test is grounds for disciplinary action.

4.6.4 Adulteration and/or Substitution of Specimens

Personnel attempting to adulterate or substitute specimens will be subject to disciplinary action.

Applicants for the roles who attempt to adulterate or substitute specimens will not be offered employment.

4.7 Testing Samples

Breath alcohol testing will be conducted by an approved provider.

Oral/saliva testing will be used in locations such as roadsides, construction sites, maintenance and work sites, remote locations and areas without toilet facilities. Oral testing for drugs will be used in situations of post accident/incident, random testing and reasonable concern. The collection for oral/saliva testing is to be in accordance with Australian Standard AS4760:2006. The advantage of saliva testing is the detection period for some drug classes are shorter compared to urine testing. Oral testing detects most drugs including:

- Cannabis, metabolites
- Amphetamines
- Metamphetamines
- Benzodiazepines
- Cocaine
- Opiates

Oral/Saliva drug tests take 10 to 15 minutes each, with negative results available immediately, similar to the urine test. If a saliva test returns a non-negative result, the individual will be required to provide a urine sample for a laboratory confirmation test.

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Urine testing for drugs will be used in situations of pre-employment selection. It will be conducted by an approved provider in accordance with AS/NZ 4308:2008. This is the current Australian and New Zealand Standard for the collection and detection of drugs of abuse in urine and can withstand legal scrutiny.

Prior to testing, the employee should disclose any medications that may affect their results to the testing provider. The employee undergoing the testing will be provided with:

- Information explaining the drug screening procedure.
- The results at the same time they are provided to Council.
- A referral for external counseling through the Employee Assistance Program.
- Access to their Sick Leave should their results be non-negative.

Unless medical evidence is tabled to support an employee's inability to provide an oral fluid, urine or breath sample, the failure to do so when requested will result in the individual being transported home. A refusal by an employee to participate in testing will be considered as a breach of this policy and could result in disciplinary action.

4.8 Test Results

The testing is divided into two stages, the:

- a) First stage, screening, identifies the classes of compounds that may include drugs of abuse.
- b) Second stage, confirmation, is required to provide definitive identification of the drug.

The first, screening results, will not be used as a basis for disciplinary action. Only a positive result for a confirmation test performed in a laboratory will be relied upon for any disciplinary action.

Following a screening test, all results that indicate that a drug is present above the cut off levels should be referred to as a non-negative and subject to confirmation.

A negative result means that the test results were within the permitted level.

A non-negative result means that in the case of:

- a) An initial test - a test result above the permitted level.
- b) A confirmatory test - a second test result above the permitted level.

Any personnel who provide a non-negative result on the confirmatory test will be required to later pass a further test (urine based) in order to return to work. If the individual is an employee, their Sick Leave will be deducted for the period of time they are absent from work until they provide a negative result and can return to work.

4.9 Confidentiality

In all cases Council will respect the individuals privacy, especially where matters regarding medical and personal information are involved. Information provided

to Council by any personnel regarding their prescription medication will be safeguarded to protect the privacy of the individual.

Provided the information is not needed for Police or insurance processes, Council shall maintain an individuals medical and personal information on a 'need to know' basis with the individuals Supervisor and the Work Health & Safety or Human Resources teams. This includes personnel who acknowledge they are having problems with alcohol or drug use and are seeking medical treatment or support.

Testing also will be conducted in a way that respects the privacy of the individual whilst meeting the standards required. Pre-employment, reasonable concern and post accident/incident testing will be conducted off-site at the approved provider's location.

4.10 Education

On behalf of Council, the approved provider will hold information sessions with personnel to explain this policy and raise awareness about the external support available to them to deal with alcohol or drug use.

The information sessions will be held at various locations across Council and will include the following:

- a) This Policy.
- b) The importance of being fit for work whilst at work and how to recognise not being fit for work.
- c) The effects of the misuse of alcohol and other drugs on health, safety and performance in the workplace.
- d) What constitutes unacceptable alcohol or drug use.
- e) Basic knowledge and understanding of the different types of drugs and their effects.
- f) Ways of dealing with the misuse of alcohol and other drugs and assisting personnel who are misusing to avoid developing further problems.
- g) Counselling, treatment and rehabilitation services available to externally enable personnel to seek solutions and treatment of their choosing.
- h) How personnel who have a problem can self-disclose.
- i) How to report a colleague they may suspect may not be fit for work due to drug or alcohol during working hours.
- j) Dealing with prescription drug use.

The approved provider will also hold education sessions for Supervisors which will include the following:

- a) Their role in implementing the Policy.
- b) How to identify and approach persons who may be affected by drugs or alcohol in the workplace.
- c) Observation of people suspected of being impaired by the use of a substance.
- d) Dealing with the longer term user or those intoxicated in one-off situations.
- e) Responsibilities in relation to privacy.

- f) How to sensitively refer personnel to specialist counselling and treatment and to avoid taking on the counselling role themselves.

4.11 Responsibilities

Personnel:

- a) Act professionally and responsibly at all times when representing Council.
- b) Prior to testing, advise their Supervisor if they have been prescribed medication that may impair their work performance or their participation in a drug or alcohol test.
- c) Contact their Supervisor or the Work Health and Safety team if they are concerned that a colleague is impaired at work due to alcohol or drug use.
- d) Contact the Human Resources team if they would like a referral for professional, external counselling through the Employee Assistance Program.
- e) Report any incident or accident if they believe it may involve alcohol or drugs.

Work Health and Safety Representatives:

- a) Treat any complaint of alleged impairment confidentially and contact the individuals Supervisor or the Work Health and Safety team to ask them to make an initial assessment.

Human Resources Team:

- a) Arrange for alcohol and drug testing for shortlisted applicants for specific roles at Council such as prescribed occupations, plant operators and roles which include a Council provided vehicle.
- b) Provide referrals to the Employee Assistance Program (MD-7-474) for any individuals seeking help with alcohol or drug use or those employees who produce a non-negative result on the confirmation test.
- c) Provide advice and support to Supervisors in the application of this policy.
- d) Select and manage approved providers for drug and alcohol testing for pre-employment, random, post incident and reasonable concern testing.

Supervisors:

- a) Refer personnel who express concerns about their alcohol or drug use to the Human Resources team so they can arrange a referral to the Employee Assistance Program (MD-7-474).
- b) Where possible provide 'safe duties' on a temporary basis if a member of personnel advises they are taking prescribed medication that may affect their ability to perform their role safely or work performance.
- c) Respond to any complaints about the potential impairment of a team member due to alcohol or drugs by meeting with the individual concerned. If they believe the concern may be valid, then contact the Work Health & Safety team to assess the team member.
- d) In the event a member of personnel is directed to leave the workplace, arrange suitable transportation for the individual to travel home safely or to the approved provider.

Work Health and Safety Team:

- a) Arrange for the testing of any individual where there is a complaint of reasonable concern or after an accident or injury.
- b) Arrange for further testing of any individual found to have a non-negative, confirmatory test result before they can return to work.
- c) Provide the budget and process for random, post incident, reasonable concern and random testing across Council.
- d) Provide for information sessions to be conducted for personnel and leaders to explain the policy and raise awareness about the external support available to personnel dealing with alcohol or drug use.
- e) Provide advice to Supervisors about what may constitute safe duties for staff members taking prescribed medication.

5.0 CONTROLS

- *Drugs Misuse Act 1986*
- *Drugs Misuse Regulation 1987*
- *Transport Operations (Road Use Management) Act 1995*
- *Weapons Act 1990*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2011*
- AS/NZ 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine
- AS4760:2006 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid

6.0 EFFECTIVE FROM

The Alcohol & Drug Policy was adopted by Council on 12 December 2017.

This Policy is effective from 12 December 2017.

7.0 REFERENCES/ASSOCIATED DOCUMENTS

GP-3-018 Discipline and Termination Governance Policy

MP-7-001 Drug and Alcohol Management Plan - Airport

GP-3-025 Employee Assistance Governance Policy

GP-3-031 Employee Code of Conduct

GP-3-015 Workplace Harassment and Bullying Governance Policy

MD-3-001 Work Health and Safety Policy Statement

Drugs Misuse Act 1986

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Drugs Misuse Regulation 1987

WI-7-614 Organising Random Alcohol & Drug Testing

Transport Operations (Road Use Management) Act 1995

Weapons Act 1990

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

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**Item****12 December 2017****Item Number:**

F2

File Number:

RG-1-002

Part:GOVERNANCE &
COMMUNICATIONS**Portfolio:**

Organisational Services

Subject:

Delegations Register Update - Council to Chief Executive Officer

Report Author:

Amy Crouch, Executive Assistant

Authorised by:

Anthony Keleher, Acting General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.6 Responsible and ethical leadership and governance.

Background:

In accordance with Section 257 (Delegation of Local Government Powers) of the *Local Government Act 2009*, Council must review the delegations to the Chief Executive Officer at least annually.

Council receives updates regarding changes to legislation via the Local Government Association of Queensland (LGAQ) Online Delegations Register service. LGAQ has, with assistance from King & Company Solicitors, developed a register following a comprehensive review of State legislation impacting on local government. This delegations register covers all possible delegations from Council to Chief Executive Officer.

The Council to Chief Executive Officer Register was last adopted by Council in July 2017. Since that time, there have been a number of changes. It is at Councils discretion to remove parts or complete registers should delegation to the Chief Executive Officer not be required.

Previously, Council has adopted LQAQ's recommended delegations in full and the complete register is presented to Council again for consideration.

The following updates have been implemented.

Registers added:

- Aged Care Act 1997 (Cth)
- Housing Act 2003
- Housing Regulation 2015
- Mineral and Energy Resources (Common Provisions) Act 2014

- Mining and Quarrying Safety and Health Regulation 2017
- Safety in Recreational Water Activities Act 2011

Existing Registers that have been amended:

- Animal Management (Cats and Dogs) Act 2008
- Body Corporate and Community Management (Accommodation Module) Regulation 2008
- Body Corporate and Community Management (Commercial Module) Regulation 2008
- Body Corporate and Community Management (Small Schemes Module) Regulation 2008
- Body Corporate and Community Management (Standard Module) Regulation 2008
- Body Corporate and Community Management Act 1997
- Building Act 1975
- Coastal Protection and Management Act 1995
- Economic Development Act 2012
- Environmental Protection Act 1994
- Environmental Protection Regulation 2008
- Fire and Emergency Service Act 1990
- Heavy Vehicle (Mass, Dimension and Loading) National Regulation
- Information Privacy Act 2009
- Land Act 1994
- Local Government Act 2009
- Mining and Quarrying Safety and Health Act 1999
- Development Assessment Rules
- Plumbing and Drainage Act 2002
- Queensland Heritage Act 1992
- Queensland Reconstruction Authority Act 2011
- Residential Services (Accreditation) Act 2002
- Standard Plumbing and Drainage Regulation 2003
- State Penalties Enforcement Act 1999
- Sustainable Planning Act 2009
- Transport Infrastructure Act 1994
- Waste Reduction and Recycling Regulation 2011
- Water Act 2000
- Water Regulation 2016
- Water Supply (Safety and Reliability) Act 2008
- Work Health and Safety Act 2011

Associated Person/Organization:

LGAQ

Consultation:

Portfolio Spokesperson: Cr Helen Blackburn

Stephen Johnston, Chief Executive Officer

Legal Implications:

Delegations will conform with all relevant Acts.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There appear to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

Yes

No

Attachments:

[↓](#) 1 Delegations - Council to Chief Executive Officer

Recommendation:

That the Chief Executive Officer be delegated the authority to deal with matters in accordance with the “Register of Delegations – Bundaberg Regional Council to the Chief Executive Officer” (as detailed on the 204 pages appended to this report).



REGISTER OF DELEGATIONS –COUNCIL TO CHIEF EXECUTIVE OFFICER

Under section 257 of the *Local Government Act 2009*, Bundaberg Regional Council resolves to delegate the exercise of the powers contained within this Register to the Chief Executive Officer.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

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Aboriginal Cultural Heritage Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, in the circumstances set out in subsection (1), to take all reasonable and practicable steps to ensure that the human remains are taken into the custody of the chief executive.	Section 17	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, in the circumstances set out in subsection (1), to advise the chief executive of the existence and location of the human remains and give the chief executive all details that the chief executive reasonably requires.	Section 18	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a person who carries out an activity, to take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.	Section 23	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to consult with the Minister about cultural heritage duty of care guidelines.	Section 28(2)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a person who is involved in putting an approved cultural heritage management plan into effect, to take all reasonable steps to ensure the chief executive is advised about all Aboriginal cultural heritage revealed to exist because of any activity carried out under the plan.	Section 30	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a person who carries out an activity, to advise the chief executive of Aboriginal cultural heritage revealed to exist because of the activity.	Section 31	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to carry out a cultural heritage study and have its findings recorded in the register including all steps authorised or required by Part 6 of the Act for the purpose of carrying out the study, recording it in the register and objecting to the way the study is recorded in the register.	Sections 53, 56, 57, 58, 59, 60, 61, 62(2), 63(3), 64(2), 65(2), 67, 68, 69(2), 70, 71, 76, 77(2) and 153	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for carrying out cultural heritage studies.	Section 54(2)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as the owner or occupier of land, to consult with the sponsor about obtaining access to the land and determine whether or not access should be given.	Section 70(3)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to consult with the chief executive about a cultural heritage study.	Section 72(1)(c)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to object to the Land Court to:- (a) the chief executive's recording in the register of the findings of a cultural heritage study; and (b) the chief executive's refusal to record in the register the findings of a cultural heritage study.	Section 76	12-Dec-2017 Item F2	



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Aboriginal Cultural Heritage Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
12.	Chief Executive Officer	Power to develop, reach agreement on and seek approval for a cultural heritage management plan including all steps authorised or required by Part 7 of the Act for the purpose of developing, reaching agreement on and seeking approval of the plan and objecting to any refusal to approve the plan.	Sections 82, 83, 91, 92, 93, 94, 95, 96, 97(2), 98(2), 99(2), 100, 101, 103, 104, 105, 106, 107, 109(5), 111, 112, 113, 114, 115, 116, 117(5) and 153	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for developing cultural heritage management plans.	Section 85(1)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as the owner or occupier of land, to consult with a person who wishes to enter land to perform a cultural heritage activity about obtaining access to the land and to determine whether or not access should be given.	Section 153	12-Dec-2017 Item F2	

Acquisition of Land Act 1967					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power as an entity taking the resource interest to give the relevant chief executive for the resource interest written notice.	Section 4B(2)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to prepare, serve and amend a Notice of Intention to Resume, to discontinue a resumption and to give notice to the land registry.	Section 7	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to hear the objector, consider the grounds of objection to the taking of land and to amend the notice of intention to resume or discontinue the resumption.	Section 8	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to apply to the Minister that the land be taken and to respond to requests from the Minister for further particulars or information.	Section 9	12-Dec-2017 Item F2	
5.	Chief Executive Officer	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).	Section 12(4B)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to agree with the Claimant on the amount of compensation payable.	Section 12(5A)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	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.	Section 12(7)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to lodge with the registrar of titles a plan of survey showing a new boundary for a lot or common property.	Section 12A	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to dedicate land taken under the Act as a road.	Section 12B	12-Dec-2017 Item F2	

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Acquisition of Land Act 1967					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
10.	Chief Executive Officer	Power to take additional land.	Sections 13(1) and (1A)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to take additional land.	Sections 13(2) and (2A)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to sell or otherwise deal with additional land taken.	Section 13 (3)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to take land pursuant to a resumption agreement and to take all steps necessary to prepare and enter the resumption agreement.	Section 15B	12-Dec-2017 Item F2	
14.	Chief Executive Officer	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.	Section 15C	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to declare by gazette notice that land taken pursuant to a resumption agreement is taken for the purpose stated in the notice.	Section 15D	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to serve a notice of discontinuance of a resumption.	Section 16(1)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to agree with the claimant about the amount of compensation payable under subsection (1A) or to refer the issue for determination by the Land Court.	Section 16(1B)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to have the amount of compensation payable under subsection (1A) taxed by an officer of the Supreme Court.	Section 16(1C)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power as a gazetting authority to, by gazette notice, revoke a gazette resumption notice.	Section 17(1)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	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.	Section 17(1A)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to lodge a gazette copy of the revoking gazette notice with the land registry.	Section 17(2)(c)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	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.	Section 17(5)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to accept and deal with a claim for compensation served by the claimant within 3 years after the day the land was taken.	Section 19	12-Dec-2017 Item F2	
24.	Chief Executive Officer	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.	Sections 19(4) and 19(6)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	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.	Section 21(1)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	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.	Section 21(1A)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	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.	Section 21(2)	12-Dec-2017 Item F2	

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Organisational Services
Organisational Services Administration

Acquisition of Land Act 1967					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
28.	Chief Executive Officer	Power to make an advance on compensation to the Claimant.	Section 23(2)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to, before paying the advance, require the claimant to satisfy Council regarding taxes, rates and other moneys which, if unpaid, would be a charge upon the land, and to decide to reduce an advance by any such amount.	Section 23(5)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to reduce the advance by the sum due to the mortgagee.	Section 23(6)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power to pay to Council, the Crown or a mortgagee any amount by which the advance has been reduced.	Section 23(7)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power to refer a claim for compensation to the Land Court.	Section 24(1)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to apply to the Land Court for further or other particulars of a claim for compensation.	Section 24(4)	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to apply to the Land Court for the Claimant to enter an appearance on the reference.	Section 25(1)	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to pay the amount of compensation agreed upon or determined into the Supreme Court.	Sections 29 & 30	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to pay to a mortgagee so much of the amount of compensation as does not exceed the sum due to the mortgagee.	Section 32	12-Dec-2017 Item F2	
37.	Chief Executive Officer	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.	Section 35	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power to authorise a person to exercise the powers in section 36(1) on Council's behalf.	Section 36(1)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power to give 7 days notice in writing of the intention to enter the land.	Section 36(3)	12-Dec-2017 Item F2	
40.	Chief Executive Officer	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 subsection (1).	Section 37(1)	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power to give notice to the occupier or owner of the intention to temporarily occupy and use the land.	Section 37(2)	12-Dec-2017 Item F2	
42.	Chief Executive Officer	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.	Section 37(5)	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power to issue a warrant to the sheriff to deliver up possession of the land taken or occupied under the Act.	Section 38(1)	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power to offer for sale land taken under the Act to the former owner of the land.	Section 41(1)	12-Dec-2017 Item F2	

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Animal Care and Protection Act 2001					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, in the specified circumstances, to agree in writing to the transfer of the ownership of an animal or other thing to Council.	Sections 156(2)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, in the specified circumstances, to deal with an animal or other thing as considered appropriate.	Section 157	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, in the specified circumstances, to recover the cost from the animal's owner or former owner.	Section 189	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, in the specified circumstances, to agree in writing to the transfer of the ownership of an animal to Council.	Section 214A(2)	12-Dec-2017 Item F2	

Aged Care Act 1997 (Cth)					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to apply to the Secretary in writing to be approved as a provider of aged care, to provide any documents that are required by the Secretary and to pay the application fee.	Section 8-2	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to give the Secretary further information in response to a notice issued by the Secretary.	Section 8-4	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as an approved provider, to notify the Secretary of the following in relation to each home care service the provider proposes to provide:- (a) the name and address of the service; and (b) any other information of a kind specified in the Approved Provider Principles for the purposes of this section.	Section 9-1A(1)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as an approved provider, to notify of any change in the information notified under subsection (1).	Section 9-1A(4)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as an approved provider, to notify the Secretary of a change of circumstances that materially affects the approved provider's suitability to be a provider of aged care.	Section 9-1(1)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as an approved provider, to comply with a request from the Secretary for information relevant to the approved provider's suitability to be a provider of aged care.	Section 9-2(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as an approved provider, to give the Secretary information relating to payments.	Section 9-3(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as an approved provider, to give the Secretary information specified in subsection (1) following receipt of a written request from the Secretary.	Section 9-3A(2)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as an approved provider, to comply with a request in writing from the Secretary for information specified in subsection (2).	Section 9-3B(4)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a provider of aged care, to make submissions in response to a notice received from the Secretary.	Section 10-3(3)(b)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to apply for an allocation of places and pay the application fee.	Sections 13-1 and 13-3	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to reply to a request for further information from the Secretary.	Section 13-4(2)	12-Dec-2017 Item F2	



Aged Care Act 1997 (Cth)					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
13.	Chief Executive Officer	Power to apply for a determination under section 15-1 before the end of the provisional allocation period.	Section 15-3(1)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to respond to a notice from the Secretary.	Section 15-4(3)(b)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to apply to the Secretary for a variation of a provisional allocation.	Section 15-5	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to surrender a provisional allocation by notice in writing to the Secretary.	Section 15-6	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to apply to the Secretary for an extension of the provisional allocation period.	Section 15-7(4)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, as an approved provider, to give the Secretary a transfer notice.	Section 16-2	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as a transferor or a transferee, to request the Secretary to determine another period under paragraph 4(a) or (b).	Section 16-2(5)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power, as a transferor or a transferee, to give the Secretary written notice of the changes.	Section 16-2(8)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to make submissions in response to a notice to resolve.	Section 16-4(2)(e)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to agree in writing to another proposed transfer day.	Section 16-5(3)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, as a transferor, to give to the transferee the records prescribed in subsections (1) and (2).	Section 16-11	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as an approved provider to whom a place has been provisionally allocated, to give the Secretary a transfer notice.	Section 16-13	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as a transferor or a transferee, to request the Secretary to determine another period under paragraph 4(a) or (b).	Section 16-13(5)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as a transferor or a transferee, to give the Secretary written notice of the changes.	Section 16-13(8)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power as a transferee or a transferor, to make submissions to the Secretary in response to a notice to resolve.	Section 16-15(2)(e)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, as a transferor or a transferee, to agree in writing to another proposed transfer day.	Section 16-18(3)(a)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as an approved provider to whom a place has been allocated under Division 14, to apply in writing to the Secretary to vary the conditions and to give the Secretary written notice of any changes to the application.	Section 17-2	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to respond to a request for further information issued by the Secretary.	Section 17-3(1)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as an applicant, to apply in writing to the Secretary to approve a day as the variation day.	Section 17-7(2)	12-Dec-2017 Item F2	



Aged Care Act 1997 (Cth)					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
32.	Chief Executive Officer	Power, as an approved provider, to relinquish all or some of the places by notice in writing to the Secretary.	Section 18-2(1)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as an approved provider, to give notice of the relinquishment.	Section 18-2(4)	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power, as an approved provider, to modify the proposals as specified in the notice issued by the Secretary.	Section 18-3(4)	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as an approved provider, to make written submissions to the Secretary in response to a notice to revoke the allocation.	Section 18-5(2)(b)	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, as an approved provider, to make written submissions to the Secretary in response to a notice that revocation is being considered	Section 23-4(3)(b)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as an approved provider, to carry out an appraisal of the level of care needed by a care recipient, relative to the needs of other care recipients, and give it to the Secretary.	Section 25-3	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as an approved provider, to make written submissions to the Secretary in response to a notice to suspend the approved provider from making appraisals and reappraisals.	Section 25-4(3)(b)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as an approved provider, to enter an agreement with the Secretary and comply with the terms of the agreement.	Sections 25-4(6A) and 25-4A	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as an approved provider, to apply to the Secretary for the lifting of a suspension from making appraisals and reappraisals.	Section 25-C	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, as an approved provider, to respond to a notice from the Secretary requiring the applicant to give further information.	Section 25-4D	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as an approved provider, to give the Secretary information relevant to whether an appraisal received out of time was sent in sufficient time to be received by the Secretary.	Section 26-2(3)	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, as an approved provider, to conduct a reappraisal in response to a notice received from the Secretary under subsection (1) or (3A).	Sections 27-3(1) and (3A)	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as an approved provider, to apply to the Secretary to vary or revoke a notice give under subsection (1) or (3A).	Section 27-3(4)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power, as an approved provider, to conduct a reappraisal on its own initiative.	Section 27-4	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power, as an approved provider, to give the Secretary information relevant to whether an appraisal received out of time was sent in sufficient time to be received by the Secretary.	Section 27-8(3)	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power to make an application for extra service status, pay the application fee, respond to any requests for further information received from the Secretary and agree to an assessment of the residential care service conducted by a person authorised by the Secretary.	Section 32-3	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power, as an approved provider, to agree with the Secretary to vary the conditions applying to the extra service status.	Section 32-8(6)	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power, as an approved provider, to request in writing that the Secretary revoke or suspend the extra service status.	Section 33-4	12-Dec-2017 Item F2	



Aged Care Act 1997 (Cth)					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
50.	Chief Executive Officer	Power, as a person who has applied for extra service status or who has been granted extra service status, to apply to the Aged Care Pricing Commissioner for extra service fees to be approved for one or more places.	Sections 35-1 and 35-2	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power, as a person providing residential care on an extra service basis, to enter an extra service agreement with a care recipient.	Sections 36-1, 36-2, 36-3 and 36-4	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as an approved provider, to apply for the Secretary to determine that the service is taken, for the purposes of Chapter 3, Part 3.1, Division 42, to meet its accreditation requirement and respond to any requests for further information from the Secretary.	Section 42-5	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as an approved provider, after the end of each payment period, to give the Secretary:- (a) a claim, in the form approved by the Secretary, for residential care subsidy that is payable in respect of the residential care service for that payment period; and (b) any information relating to the claim that is stated in the form to be required, or that the Secretary requests; and (c) copies of any documents relating to the claim, or to the payment of *residential care subsidy, that are stated in the form to be required, or that the Secretary requests.	Section 43-4	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power, as an approved provider, to vary the claim made in respect of a payment period.	Section 43-4A	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power, as an approved provider, to enter an agreement with the Secretary for the deduction of fees from amounts of residential care subsidy otherwise payable to the approved provider.	Section 43-5	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power, as an approved provider, to enter an agreement with the Secretary under which:- (a) amounts equal to the capital payments made in respect of the service are to be deducted from amounts of *residential care subsidy otherwise payable to the approved provider in respect of the service; and (b) so far as amounts are so deducted, the approved provider ceases to be liable to the Commonwealth for repayment in respect of the capital payments.	Section 43-6	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power, as an approved provider, to respond to a notice from the Secretary requiring written submissions regarding the revocation of a determination of financial hardship.	Section 44-32(3)(a)	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power, as an approved provider providing home care services, to comply with a request to suspend the service.	Section 46-2(2)	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power, as an approved provider, after the end of each payment period, to give the Secretary:- (a) a claim, in the form approved by the Secretary, for home care subsidy that is payable in respect of the home care service for that payment period; and (b) any information relating to the claim that is stated in the form to be required, or that the Secretary requests.	Section 47-4	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power, as an approved provider, to vary the claim made in respect of a payment period.	Section 47-4A	12-Dec-2017 Item F2	



Aged Care Act 1997 (Cth)					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
61.	Chief Executive Officer	Power, as an approved provider, to apply to the Secretary for a determination under subsection (2) in respect of a care recipient and respond to any request for further information from the Secretary.	Section 48-8(5)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power, as an approved provider, to apply to the Secretary on behalf of a care recipient for a determination of eligibility for a hardship supplement and to respond to any requests for further information from the Secretary.	Section 48-11	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power, as an approved provider, to respond to a notice from the Secretary requiring written submissions regarding the revocation of a determination of financial hardship.	Section 48-12(3)(a)	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power, as the provider of a residential care service or an eligible flexible care service, to give a person:- (a) an accommodation agreement; and (b) such other information as is specified in the Fees and Payments Principles.	Section 52F1(1)(a)	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power, as the provider of a residential care service or an eligible flexible care service, to agree with the person, in writing, about the maximum amount that would be payable if the person paid an accommodation payment for the service.	Section 52F1(1)(b)	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power, as an approved provider, to enter an accommodation agreement with a person.	Sections 52F-2 to 52F-6	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power, as an approved provider, to apply to the Aged Care Pricing Commission for approval to charge an accommodation payment that is higher than the maximum amount of accommodation payment determined by the Minister under section 52G-3 for:- (a) a residential care service or flexible care service; or (b) a distinct part of such a service, and to respond to any requests for further information made by the Aged Care Pricing Commissioner.	Section 52G-4	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power, as an approved provider, to retain income derived from a refundable deposit.	Section 52J-6	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power, as an approved provider, to deduct a daily payment from a refundable deposit in the circumstances specified in subsection (1).	Section 52J-7(1)	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power, as an approved provider, to deduct an amount from a refundable deposit in the circumstances specified in subsection (2).	Section 52J-7(2)	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power, as an approved provider to whom an accommodation payment or accommodation contribution is payable, to apply to the Secretary to determine a case of financial hardship and respond to any request for information from the Secretary.	Section 52K-1(4)(b)	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power, as an approved provider, to respond to a notice from the Secretary requiring written submissions regarding the revocation of a determination of financial hardship under section 52K-1.	Section 52K-2(3)(a)	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power, as an approved provider, to comply with the requirements of the Prudential Standards.	Section 52M-1(1)	12-Dec-2017 Item F2	



Aged Care Act 1997 (Cth)					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
74.	Chief Executive Officer	Power, as an approved provider, to use a refundable deposit or an accommodation bond for a use that is permitted by section 52N-1.	Section 52N-1	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power, as an approved provider, to refund a refundable deposit balance in the way specified in the Fees and Payments Principles.	Section 52P-1	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power, as a former approved provider, to refund the refundable deposit balance to the care recipient.	Section 52P-2(2)	12-Dec-2017 Item F2	
77.	Chief Executive Officer	Power, as an approved provider, to agree with a person to delay refunding the refundable deposit balance or accommodation bond balance on the conditions specified in subsection (2).	Section 52P-4	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power, as an approved provider, to comply with the responsibilities of approved providers.	Section 54-1	12-Dec-2017 Item F2	
79.	Chief Executive Officer	Power, as an approved provider, to comply with the responsibilities of an approved provider in relation to a care recipient to whom the approved provider provides, or is to provide, residential care.	Section 56-1	12-Dec-2017 Item F2	
80.	Chief Executive Officer	Power, as an approved provider, to comply with the responsibilities of an approved provider in relation to a care recipient to whom the approved provider provides, or is to provide, home care.	Section 56-2	12-Dec-2017 Item F2	
81.	Chief Executive Officer	Power, as an approved provider, to comply with the responsibilities of an approved provider in relation to a care recipient to whom the approved provider provides, or is to provide, flexible care.	Section 56-3	12-Dec-2017 Item F2	
82.	Chief Executive Officer	Power, as an approved provider, to: (a) establish a complaints resolution mechanism for the aged care service; and (b) use the complaints resolution mechanism to address any complaints made by or on behalf of a person to whom care is provided through the service; and (c) advise the person of any other mechanisms that are available to address complaints, and provide such assistance as the person requires to use those mechanisms; and (d) allow authorised complaints officers to have such access to the service as is specified in the User Rights Principles, for the purpose of those officers investigating and assisting in the resolution of complaints; and (e) comply with any requirement made of the approved provider under the Complaints Principles.	Section 56-4(1)	12-Dec-2017 Item F2	
83.	Chief Executive Officer	Power, as an approved provider, to enter resident agreements that comply with the requirements for resident agreements listed in section 59-1.	Section 59-1	12-Dec-2017 Item F2	
84.	Chief Executive Officer	Power, as an approved provider, to enter home care agreements that comply with the requirements for home care agreements listed in section 61-1.	Section 61-1	12-Dec-2017 Item F2	
85.	Chief Executive Officer	Power, as an approved provider, to comply with the responsibilities relating to protection of personal information relating to a person to whom the approved provider provides aged care.	Section 62-1	12-Dec-2017 Item F2	
86.	Chief Executive Officer	Power, as an approved provider, to comply with the responsibilities of an approved provider in relation to accountability for the aged care provided by the approved provider through an aged care service.	Section 63-1	12-Dec-2017 Item F2	


Aged Care Act 1997 (Cth)

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
87.	Chief Executive Officer	Power, as an approved provider, to report an allegation or suspicion of a reportable assault.	Section 63-1AA(2)	12-Dec-2017 Item F2	
88.	Chief Executive Officer	Power, as an approved provider, to require staff members who provide a service connected with the approved provider's residential care service to report suspicions of reportable assault.	Section 63-1AA(5)	12-Dec-2017 Item F2	
89.	Chief Executive Officer	Power, as an approved provider, to ensure the identity of a person who reports a suspected reportable assault is not disclosed to anyone except a person listed in section 63-1AA(7)	Section 63-1AA(7)	12-Dec-2017 Item F2	
90.	Chief Executive Officer	Power, as an approved provider, to take reasonable measures to ensure the report recipient does not disclose the fact that the person was the maker of the report.	Section 63-1AA(8)	12-Dec-2017 Item F2	
91.	Chief Executive Officer	Power, as an approved provider, to take all reasonable steps specified in the Sanctions Principles to ensure that none of its key personnel is a disqualified individual.	Section 63-1A(2)	12-Dec-2017 Item F2	
92.	Chief Executive Officer	Power, as an approved provider, to notify the Secretary of each care recipient who enters a residential care service operated by the approved provider on or after 20 March 2008.	Section 63-1B(2)	12-Dec-2017 Item F2	
93.	Chief Executive Officer	Power, as an approved provider, to do all things reasonably practicable to ensure that there is no change to the circumstance without complying with the steps specified by the Secretary in a notice give under subsection 8-5(3).	Section 65-1C	12-Dec-2017 Item F2	
94.	Chief Executive Officer	Power, as an approved provider, to agree to the appointment of an adviser and appoint the adviser within the period specified in the agreement.	Section 66A-2(3)	12-Dec-2017 Item F2	
95.	Chief Executive Officer	Power, as an approved provider, to agree to the appointment of an administrator and appoint the administrator within the period specified in the agreement.	Section 66A-3(3)	12-Dec-2017 Item F2	
96.	Chief Executive Officer	Power, as an approved provider, to provide to a person appointed under section 6A-2 or 66A-3 all relevant information required by the person to assist the approved provider comply with its responsibilities	Section 66A-4	12-Dec-2017 Item F2	
97.	Chief Executive Officer	Power, as an approved provider, to make submissions to the Secretary in response to a notice of non-compliance.	Section 67-2(2)(d)	12-Dec-2017 Item F2	
98.	Chief Executive Officer	Power, as an approved provider, to make submissions to the Secretary in response to a notice of intention to impose sanctions.	Section 67-3(2)(d)	12-Dec-2017 Item F2	
99.	Chief Executive Officer	Power, as an approved provider, to give the Secretary a written undertaking to remedy the non-compliance specified in the notice.	Section 67-4(2)(a)	12-Dec-2017 Item F2	
100.	Chief Executive Officer	Power, as an approved provider, to comply with an undertaking given under section 67-4(2)(a).	Section 67-4(2)(b)	12-Dec-2017 Item F2	
101.	Chief Executive Officer	Power, as an approved provider, to apply in writing to the Secretary seeking the lifting of a sanction.	Section 68-4	12-Dec-2017 Item F2	
102.	Chief Executive Officer	Power, as an approved provider, to comply with a notice requesting further information received from the Secretary.	Section 68-5(1)	12-Dec-2017 Item F2	
103.	Chief Executive Officer	Power to apply in writing for the allocation of a residential care grant.	Section 71-1	12-Dec-2017 Item F2	
104.	Chief Executive Officer	Power to comply with a notice requesting further information received from the Secretary.	Section 71-3(1)	12-Dec-2017 Item F2	



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Aged Care Act 1997 (Cth)					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
105.	Chief Executive Officer	Power, as an approved provider, to enter an agreement with the Commonwealth agreeing to comply with the conditions to which the grant is subject.	Section 73-1(3)	12-Dec-2017 Item F2	
106.	Chief Executive Officer	Power, as an approved provider, to comply with the grant conditions.	Section 73-3	12-Dec-2017 Item F2	
107.	Chief Executive Officer	Power, as an approved provider, to make submissions in response to notice to vary or revoke the allocation received from the Secretary.	Section 73-4(3)(b)	12-Dec-2017 Item F2	
108.	Chief Executive Officer	Power, as an approved provider, to apply to the Secretary for a variation of an allocation of a residential care grant.	Section 73-5(1)	12-Dec-2017 Item F2	
109.	Chief Executive Officer	Power, as an approved provider, to comply with a notice requesting further information received from the Secretary.	Section 73-5(4)	12-Dec-2017 Item F2	
110.	Chief Executive Officer	Power, as a body corporate, to enter into a written agreement with the Secretary under which the Commonwealth makes a grant of money for the purposes specified in the agreement	Section 83-1(1)	12-Dec-2017 Item F2	
111.	Chief Executive Officer	Power, as person whose interests are affected by a reviewable decision, to request the Secretary to reconsider the decision.	Section 85-5(1)	12-Dec-2017 Item F2	
112.	Chief Executive Officer	Power, as person whose interests are affected by a reviewable decision, to request the Aged Care Pricing Commissioner to reconsider the decision.	Section 85-5(2)	12-Dec-2017 Item F2	
113.	Chief Executive Officer	Power to pay the application fee for reconsideration of a reviewable decision made under subsection 29-1(1).	Section 85-6(1)	12-Dec-2017 Item F2	
114.	Chief Executive Officer	Power to make an application to the Administrative Appeals Tribunal for the review of a reviewable decision that has been confirmed, varied or set aside under section 85-4 or 85-5.	Section 85-8	12-Dec-2017 Item F2	
115.	Chief Executive Officer	Power, as an approved provider, to keep the records referred to in section 88-1.	Section 88-1	12-Dec-2017 Item F2	
116.	Chief Executive Officer	Power, as an approved provider, to keep records of the kind and in the form specified in the Records Principles.	Section 88-2	12-Dec-2017 Item F2	
117.	Chief Executive Officer	Power, as an occupier of premises, to consent to the entry of an authorised officer to the premises and to withdraw the consent at any time.	Section 91-1(3)	12-Dec-2017 Item F2	
118.	Chief Executive Officer	Power, as an occupier of premises, to provide an authorised officer who entered the premises under section 91-1(1) with reasonable assistance and to refuse to provide the assistance.	Section 91-3	12-Dec-2017 Item F2	
119.	Chief Executive Officer	Power, as an approved provider, to as an occupier of premises, to consent to the entry of an authorised complaints officer to the premises and to withdraw the consent at any time.	Section 94B-3(3)	12-Dec-2017 Item F2	
120.	Chief Executive Officer	Power, as an occupier of premises, to provide an authorised complaints officer who entered the premises under section 94B-3 with reasonable assistance and to refuse to provide the assistance.	Section 94B-5	12-Dec-2017 Item F2	
121.	Chief Executive Officer	Power, as a person who has made an application to the Secretary under the Act, to withdraw the application.	Section 96-7	12-Dec-2017 Item F2	

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Animal Management (Cats and Dogs) Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to give identifying information to particular persons.	Section 39	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to recognise a body supervising an exhibition in which a cat or dog is participating.	Section 42(4)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as an approved entity, to:- (a) conduct an accreditation scheme to breed dogs; and (b) accredit a person as an "accredited breeder" under the accreditation scheme. Note: this section only applies to local governments who have been declared to be an approved entity under section 43W.	Section 43B	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as an approved entity, to give an accreditation number to an accredited breeder. Note: this section only applies to local governments who have been declared to be an approved entity under section 43W.	Section 43C	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to give registration notice.	Section 49(2)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to keep registration form and information.	Section 51	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to fix the fee for the registration of a dog.	Section 52	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to recognise a body supervising an exhibition or an obedience trial in which a dog is participating.	Section 64(1)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to require applicant to give a stated document or information that is relevant to a permit application.	Section 74(1)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to grant or refuse a permit application within a certain time.	Section 75(1)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to decide whether desexing is likely to be a serious risk to the health of a dog.	Section 75(3)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to impose conditions on the grant of an application for a restricted dog permit.	Section 75(5)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to issue a restricted dog permit.	Section 77	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to issue a decision notice after deciding to refuse a permit application.	Section 79	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to grant or refuse a renewal application within a certain time.	Section 84(1)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to seek further information in deciding an application for a renewal application.	Section 84(4)(b)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to: <ul style="list-style-type: none"> • if the application is granted, issue a renewed permit; or • if the application is refused, issue a decision notice. 	Section 84(5)	12-Dec-2017 Item F2	



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Animal Management (Cats and Dogs) Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
18.	Chief Executive Officer	Power to amend a restricted dog permit at any time.	Section 87	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to make:- (a) a dangerous dog declaration; (b) a menacing dog declaration; (c) a restricted dog declaration.	Section 89(1)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to determine whether a dog is of a breed mentioned in section 63(1).	Section 89(4)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to give a dog owner a proposed declaration notice regarding a dog.	Section 90	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to withdraw a proposed declaration notice regarding a dog.	Section 92	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to consider any written representations and evidence within a period stated in a proposed declaration notice and make a regulated dog declaration.	Section 94	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to give an owner of a dog the subject of a regulated dog declaration, a notice about the decision under subsection (3) or (4).	Section 95	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to destroy a surrendered regulated dog.	Section 100	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to recover reasonable seizure or destruction costs.	Section 102	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to give notice of a proposed inspection program.	Section 114	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to include other information considered appropriate in the general register.	Section 178(e)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to authorise an employee to verify a copy of a document.	Section 198(1)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Where a local government has received a registration form in relation to a cat prior to 23 September 2013 and it has not yet given a registration notice, power to:- (a) refund the registration fee to the owner; or (b) if the local government is a declared local government—register the cat under former chapter 3, part 2; or (c) if a local government makes a local law requiring cats to be registered—register the cat under the local law.	Section 227(2)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Where a local government has received a registration fee in relation to a cat prior to 23 September 2013 and it has given a registration notice for the cat, power to refund the registration fee or a portion of the fee to the owner.	Section 228(2) (b)	12-Dec-2017 Item F2	

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Biosecurity Act 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, in a circumstance listed in subsection (1), to advise an inspector of the presence of the biosecurity matter.	Section 36(2)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, in a circumstance listed in subsection (1), to advise an appropriate authorised officer of the presence of the biosecurity matter that is a relevant restricted matter.	Section 42(2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to carry out the main function of a local government under the Act.	Section 48	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to consult with the Minister.	Section 50(3)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to comply with a notice issued by the Minister pursuant to subsection (4).	Section 50(5)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to agree with the chief executive that Council cannot achieve substantial compliance with the notice.	Section 51(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to comply with a request from the Minister for a written report made pursuant to subsection (1).	Section 52(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to prepare and approve a biosecurity plan for invasive biosecurity matter for Council's area.	Section 53	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to keep a copy of the biosecurity plan available for inspection.	Section 54	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to consult with the chief executive about the suitability and priority of the activities.	Section 59	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to pay the amount required by a notice issued by the Minister pursuant to this section.	Section 60(5)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as a building authority for a barrier fence, or as an owner of land affected by the amendment, to consult with the chief executive about the amendment of the barrier fence map.	Section 91(3)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as a building authority for a barrier fence, in the circumstance set out in subsection (1), to build and pay for a gate or grid in the fence.	Section 92(2)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as a building authority for a barrier fence, to undertake the activities set out in subsections (a) and (b).	Section 93	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as a building authority for a barrier fence, to enter a place in the circumstances set out in subsection (1).	Section 94	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as a building authority for a barrier fence, to enter into an agreement with another person about making an opening in the fence for a particular purpose and period.	Section 95	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, as a building authority for a barrier fence, to give a notice to a person requiring the person to restore the fence.	Section 96(2)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, as a building authority for a barrier fence, to carry out the restoration of the barrier fence and recover the reasonable costs from the person to whom notice was given pursuant to subsection (2).	Section 96(4)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as a building authority for a barrier fence part, to appoint a person employed or engaged by Council to exercise powers under the Act in relation to the barrier fence part.	Section 100	12-Dec-2017 Item F2	

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Biosecurity Act 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
20.	Chief Executive Officer	Power, as a building authority for a barrier fence part, to give directions to a barrier fence employee.	Section 101(2)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as a relevant entity, to consult with the chief executive about a proposed making of a code of practice.	Section 105	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to make written submissions on a proposed guideline.	Section 107	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to apply to an inspector for a biosecurity emergency order permit.	Section 121	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to apply to an inspector for a biosecurity instrument permit.	Section 132	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power as a registrable biosecurity entity to apply for registration.	Sections 145 and 147	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power as a registrable biosecurity entity to apply for a registration exemption.	Section 146	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to make written submissions in response to a notice from the chief executive.	Section 150(3)(b)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, in the circumstances referred to in subsection (1) to apply for deregistration as a biosecurity entity.	Section 152	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to comply with a requirement of the chief executive made under subsection (2) or (3).	Section 156(2)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power as a registered biosecurity entity, owner or occupier to give the chief executive a restricted place notice.	Section 160(2)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power to apply to the chief executive for the removal of the entry for a restricted place from the biosecurity register.	Section 164	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power to apply to the chief executive for the end of a declaration of a designated animal as a restricted animal.	Section 164A	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to apply to the chief executive for the end of a declaration of a designated biosecurity matter as a restricted biosecurity matter.	Section 164B	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to give the chief executive further information or a document about the application.	Section 165	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power as a registered biosecurity entity to give the chief executive a change notice.	Section 170(2)	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to apply to the chief executive for a travel approval for the movement of a special designated animal.	Section 181	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as a receiver of a special designated animal at a saleyard, to take the action referred to in subsections (a) and (b).	Section 187	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as a receiver of a special designated animal at a restricted agricultural show, to take the action referred to in subsection (2).	Section 188	12-Dec-2017 Item F2	

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Biosecurity Act 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
39.	Chief Executive Officer	Power, as a receiver of a special designated animal at a place, to take the action referred to in subsection (2).	Section 190	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, in the circumstances referred to in subsection (1), as a receiver of a special designated animal to advise an inspector of the circumstances in subsection (1).	Section 193(2)	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, to comply with all reasonable directions the inspector gives.	Section 193(3)	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as a relevant person, to create a movement record for a designated animal and to give the record to the conveyer or drover of the animal.	Section 194(2)	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, as a relevant person, to keep and produce a movement record for a designated animal in accordance with the requirements of this section.	Section 197	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as person who receives a copy of a movement record, to keep and produce the copy of the movement record for in accordance with the requirements of this section.	Section 198(2) and (7)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power, in the circumstances referred to in subsection (4) and as a person who accepts delivery of the animal at the end of the movement, to create, keep and produce a record complying with subsection (6).	Section 198(5) and (7)	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power, as a person having responsibility for the organisation and operation of an agricultural show, to keep a record in the appropriate form for the designated animal.	Section 199	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power to apply for a prohibited matter permit or a restricted matter permit and to take all steps required to bring the application to finalisation and obtain a decision on the application.	Sections 214 and 215	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power to apply for the renewal of a prohibited matter permit or a restricted matter permit and to take all steps required to bring the application to finalisation and obtain a decision on the application.	Sections 225 and 226	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power to comply with a direction of the chief executive issued pursuant to subsection (2).	Section 229	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power to apply for the transfer of a prohibited matter permit or a restricted matter permit.	Section 230	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power to consult with an interested entity about a proposed biosecurity program.	Section 235(3)(d)	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power to consult with the chief executive about a proposed biosecurity program.	Section 239(1)	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power to consult with the chief executive and an invasive animal board before authorising a biosecurity program.	Section 239(2)	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power to give make copies of a biosecurity program authorisation available for inspection and purchase at Council's public office.	Section 241	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power to apply to the court for an order against the person convicted of an offence against the Act to pay the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 358	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power, as a relevant body, to stay the original decision, fix conditions on the stay, fix the period of a stay and revoke a stay.	Section 364	12-Dec-2017 Item F2	

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Biosecurity Act 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
57.	Chief Executive Officer	Power, as the issuing authority, after receiving an internal review application to conduct an internal review and make a decision.	Section 365	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power, as the issuing authority, to give notice of an internal review decision.	Section 366	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power, as the issuing authority, to make a new decision following the receipt of directions from the court.	Section 372(1)	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power, as the issuing authority, to give effect to a decision of the court to substitute the internal review decision with a new decision.	Section 372(2)	12-Dec-2017 Item F2	
61.	Chief Executive Officer	Power, as the issuing authority for a biosecurity order, to give notice of the amount of the debt.	Section 380(2)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power to register a charge over the land for an unpaid amount and to release the charge once the unpaid amount has been paid.	Section 381	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power, as a third party, to appear at the hearing of an application for a cost recovery order.	Section 383	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power to enter into a government and industry agreement with the Minister or the chief executive.	Section 391	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power to enter into a compliance agreement with the chief executive.	Section 393	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power to apply to the chief executive to enter into a compliance agreement with the State.	Section 396	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power to give the chief executive further information or a document required to decide the application.	Section 399(1)(b)	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power, as the other party to a compliance agreement, to make written representations to the chief executive following receipt of a show cause notice.	Section 405	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power, as the holder for a relevant authority, to apply to the chief executive to amend the conditions of the authority and to take all steps necessary to obtain a decision on the application.	Sections 479 and 480	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power, as the holder for a relevant authority, to make written representations about the show cause notice to the chief executive.	Section 485	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power, as the holder for a relevant authority, to ask the chief executive to cancel the authority.	Section 490	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power, as the holder for a relevant authority, to comply with a notice requiring the return of the document evidencing the authority.	Section 491(3)	12-Dec-2017 Item F2	

Body Corporate and Community Management (Accommodation Module) Regulation 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 159 (6)(b)	12-Dec-2017 Item F2	



Body Corporate and Community Management (Commercial Module) Regulation 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 117 (6)(b)	12-Dec-2017 Item F2	

Body Corporate and Community Management (Small Schemes Module) Regulation 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 95(6)(b)	12-Dec-2017 Item F2	

Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 33(4)	12-Dec-2017 Item F2	

Body Corporate and Community Management (Standard Module) Regulation 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 161(6)(b)	12-Dec-2017 Item F2	

Body Corporate and Community Management Act 1997					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a relevant planning authority, to endorse a community management statement notation on a proposed community management statement.	Section 60(3)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a utility service provider, to enter an agreement with a body corporate in relation to the utility charges for the scheme land.	Section 196(4)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	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.	Section 197	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to enter the common property if necessary to exercise a power conferred under an Act.	Section 316(1)	12-Dec-2017 Item F2	



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Building Act 1975					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as an assessment manager, to determine whether a building development application complies with the building assessment provisions and if it does, to approve the application.	Section 34A(2)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as an assessment manager, to consult with the chief executive about the variation application.	Section 41(1)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a referral agency, to appoint or employ a building certifier to carry out the assessment against the fire safety standard.	Section 46(5)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, under the Planning Act to receive, assess and decide a building development application.	Section 51(2)(a)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to appoint or employ a private certifier or another building certifier.	Section 51(2)(b)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to appoint or employ a building certifier where asked in writing by the nominated owner and the building work has not been certified.	Section 51(3)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to issue a building development approval.	Section 52	12-Dec-2017 Item F2	
8.	Chief Executive Officer	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.	Section 53(2)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	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>Planning Act</i> .	Section 54	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as assessment manager, in relation to undecided building development applications and lapsed building development approvals, to resume or start the development assessment process under the Planning Act at any stage the assessment manager considers appropriate.	Section 55	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as the holder of a registered easement or statutory covenant, to consent to building work.	Section 65	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to decide an application to extend the period mentioned in subsection 71(3), to consult with an entity in deciding the application and to give notice of the decision.	Section 71	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to give a private certifier a document acknowledging receipt of the fee mentioned in subsection 86(1)(c).	Section 87	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to take the action it considers necessary to complete the building work where the building development approval lapses and the building work is other than demolition.	Section 92(2)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to use all or part of any security given to the local government for the carrying out of the building work.	Section 92(5)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to refund or release part of any security given to the local government for the carrying out of the building work, at any time, having regard to the progress of the building work.	Section 93(1)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, as the assessment manager, to give a reminder notice about the lapsing.	Section 95	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to consult with a private certifier with regard to further extensions of the period under the Planning Act, s 341 (When approval lapses if development not started).	Section 97(2)	12-Dec-2017 Item F2	

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Building Act 1975					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
19.	Chief Executive Officer	Power, as the assessment manager, to take enforcement action against an owner contravening section 114 of the Act.	Section 117	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to give a building certifier a notice ('show cause notice').	Section 206(1)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to consider any representations made under the show cause notice and decide to take no further action, or apply to the Queensland Civil and Administrative Tribunal to start a disciplinary proceeding against the building certifier.	Section 207	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to apply to the Queensland Civil and Administrative Tribunal to conduct disciplinary proceeding to determine whether there are proper grounds for taking disciplinary action against a building certifier.	Section 208(1)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to notify the QBCC of its application to the Queensland Civil and Administrative Tribunal.	Section 210	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to consult with any other entity considered appropriate in deciding an application made by the owner of a budget accommodation building to approve a period for the building under section 220(a)(ii) or (b)(ii) (longer periods for approval).	Section 221(2)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	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).	Sections 221(2)(b) and (3)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to decide the application and give the owner an information notice about the decision.	Section 221(4)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to, on written application from the owner, decide whether or not a building conforms with fire safety standards and, if applicable, state what must be done to make the building conform.	Section 222(2)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to inspect budget accommodation buildings at least once every 3 years.	Section 228	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as local government, to approve, with or without conditions, a later day for a residential care building to comply with section 231AK of the <i>Building Act</i> .	Section 231AK(a)(iii) and (b)(iii) and section 231AL	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power, as local government, on an application by the owner of an RCB for a later day to obtain a fire safety compliance certificate or certificate of classification to: (a) consult on the application; (b) decide the application; (c) impose conditions on the grant of an application; (d) give an information notice about the decision.	Section 231AL	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power to require the applicant to give medical evidence to support the application.	Section 236	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power to, on application by a pool owner, decide an application for exemption from complying with part of the pool safety standard relating to barriers for a regulated pool due to disability (with or without conditions).	Section 237	12-Dec-2017 Item F2	



Building Act 1975					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
33.	Chief Executive Officer	Power to give notice of Council's decision (including an information notice about the decision).	Section 238	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to give notice of each exemption granted under Chapter 8, Part 2, Division 3 to the QBCC commissioner.	Section 239	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to give an applicant a show cause notice.	Section 242(2)	12-Dec-2017 Item F2	
36.	Chief Executive Officer	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.	Section 242(3)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power to give to the QBCC commissioner notice of each revocation notice given.	Section 243	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power to keep a copy of each exemption granted and make the copy available for inspection and purchase as if it were a document, that under the Planning Act, the local government must make available for inspection and purchase.	Section 244	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power to, on application by a pool owner for exemption from complying with part of the pool safety standard relating to barriers for the regulated pool due to compliance being impracticable, require further information to establish that compliance with the part of the pool safety standard is not practicable.	Section 245A	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power to, on application by a pool owner, decide an application for exemption from complying with part of the pool safety standard relating to barriers for the regulated pool due to compliance being impracticable (with or without conditions).	Section 245B	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power to give written notice of the grant of an exemption.	Section 245C(1)	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power to give an information notice.	Section 245C(2)	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power to give the owner of the regulated pool a show cause notice.	Section 245E(2)	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power to consider any representations made under the show cause notice and give a further notice (a revocation notice) to the owner, revoking the decision previously given.	Section 245E(3)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power to give the QBCC commissioner the notices required by sections 245F(1) and 245F(2).	Section 245F	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power to keep a copy of each exemption available for inspection and purchase as if it were a document that, under the Planning Act, must be available for inspection and purchase.	Section 45FA(2)	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power, as owner of adjoining land, to agree with the pool owner as to the construction of a pool barrier along the common boundary.	Section 45XB(2)	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power, as owner of adjoining land, to agree with the pool owner as to the alteration or replacement of a dividing fence that is used, or proposed to be used, as a pool barrier along the common boundary.	Section 245XD(2)	12-Dec-2017 Item F2	



Building Act 1975					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
49.	Chief Executive Officer	Power, as owner of adjoining land where a pool barrier is constructed along the common boundary for a pool on the other land, to: <ul style="list-style-type: none"> alter or replace the part of the pool barrier with the agreement of the pool owner; or attach a think on the part of the pool barrier that does not unreasonably or materially alter or damage the barrier. 	Section 245XF(2) and (3)	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power, as owner of adjoining land, to grant access to Council's land to the owner of the other land to carry out fencing work.	Section 245XG(1)	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power, as owner of adjoining land, where Council has carried out urgent fencing work under section 245XK of the <i>Building Act</i> and the owner of the other land is responsible for some or all of the costs of carrying out the fencing work under section 245XH of the <i>Building Act</i> , to require the owner of the other land to contribute a share for any reasonable cost incurred for the fencing work.	Section 245XN(2)	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as owner of adjoining land, to apply to QCAT, in the absence of the owner of the other land, for authorisation to carry out fencing work, including apportionment of the contributions for the work.	Section 245XS(1)	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as owner of adjoining land, where an order has been made under section 245XS(1) of the <i>Building Act</i> and the owner of the other land has since been located, to give a copy of the order to the owner of the other land and recover the contribution as stated in the order.	Section 245XS(3)	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power, as owner of adjoining land, where the owner of the other land has carried out fencing work for a dividing fence forming part of a pool barrier without authorisation, to apply to QCAT for an order requiring the owner to rectify the dividing fence.	Section 245XV(2)	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power to inspect a regulated pool for compliance when a pool safety complaint notice, or section 245I or 245UA notice is received.	Section 246ADA(2)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power to take necessary enforcement action to ensure the pool complies with the pool safety standard or fencing standards for the pool.	Section 246ADA(5)	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power to cancel pool safety certificate for a regulated pool.	Section 246AF(2)	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power to give the QBCC commissioner notice of the cancellation of the pool safety certificate for a regulated pool.	Section 246AF(3)	12-Dec-2017 Item F2	
59.	Chief Executive officer	Power to give a show cause notice before cancelling a pool safety certificate.	Section 246AG(1)	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power to consider submissions and decide whether to cancel a pool safety certificate.	Section 246AG(5)	12-Dec-2017 Item F2	
61.	Chief Executive officer	Power to give the owner notice of the decision.	Section 246AG(6)	12-Dec-2017 Item F2	
62.	Chief Executive officer	Power to give the owner an information notice about the decision.	Section 246AG(7)	12-Dec-2017 Item F2	
63.	Chief Executive officer	Power to appoint or employ a pool safety inspector to conduct an inspection of a pool in the circumstances referred to in subsection (1).	Section 246AH	12-Dec-2017 Item F2	



Building Act 1975					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
64.	Chief Executive officer	Power to keep a record of a notice mentioned in section 246ADA(1) and the results of the inspection carried out under section 246ADA.	Section 246AIA	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power to comply with a request for information from the QBCC commissioner.	Section 246AIB(2)	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power to give the QBCC commissioner notice of each existing regulated pool in Council's local government area of which it has a record.	Section 246AQ	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power to give the swimming pool safety advisory information to the owner of each non-certificate regulated pool in its local government area.	Section 246ATC	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power to, by gazette notice, designate land as a transport noise corridor.	Section 246X	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power to give a notice ('enforcement notice') to the owner of a building, structure or building work.	Section 248(1)	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power to give an enforcement notice to a person who does not comply with a particular matter in the <i>Building Act 1975</i> .	Section 248(2)	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power to give a person a show cause notice.	Section 248(3)	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power, as local government, to make a complaint for an offence against section 245G(1) of the <i>Building Act 1975</i> .	Section 256(2)(d)	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power, as local government, to make a complaint for an offence against section 245K, 245L or 246AR(2) of the <i>Building Act 1975</i> .	Section 256(2)(e)	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power, as local government, to make a complaint for an offence against section 246AD(2) or 246AJ(4) of the <i>Building Act 1975</i> .	Section 256(2)(f)	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power, as local government, to make a complaint for an offence against section 246AP(2) of the <i>Building Act 1975</i> .	Section 256(2)(g)	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power, as local government, to make a complaint for an offence against chapter 8, part 4, division 5, subdivision 2, other than section 246ATH(2) of the <i>Building Act 1975</i> .	Section 256(2)(h)	12-Dec-2017 Item F2	
77.	Chief Executive Officer	Power, as local government, to authorise a person to make a complaint for an offence against chapter 8, part 4, division 5, subdivision 2, other than section 246ATH(2) of the <i>Building Act 1975</i> .	Section 256(2)(h)	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power, as local government, to make a complaint for an offence against chapter 8, part 5 of the <i>Building Act 1975</i> .	Section 256(2)(i)	12-Dec-2017 Item F2	
79.	Chief Executive Officer	Power, as local government, to authorise a person to make a complaint for an offence against chapter 8, part 5 of the <i>Building Act 1975</i> .	Section 256(2)(i)	12-Dec-2017 Item F2	
80.	Chief Executive Officer	Power, as local government, to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i> .	Section 256(2)(k)	12-Dec-2017 Item F2	
81.	Chief Executive Officer	Power, as local government, to authorise a person to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i> .	Section 256(2)(k)	12-Dec-2017 Item F2	
82.	Chief Executive Officer	Power to extend the time for an owner of a swimming pool to comply with section 235 (where an extension under section 49H(1)(b) of the <i>Local Government Act 1936</i> is still in force.	Section 262	12-Dec-2017 Item F2	


Building Regulation 2006

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, if it is not practicable to show each of the designated bush fire prone area in Council's planning scheme maps, to:- (a) prepare maps showing the areas; and (b) ensure the maps are updated.	Section 12(4)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to keep a register of the flood hazard areas Council designates and when each designation was made.	Section 13(4)	12-Dec-2017 Item F2	

Coastal Protection and Management Act 1995

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to make submissions to the Minister regarding a draft coastal plan.	Section 25(2)(d)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to make a copy of a draft coastal plan available for inspection by the public.	Section 25(5)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to comply with a request from the Chief Executive to carry out particular activities necessary to implement a coastal plan.	Section 34(2)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to:- (a) make submissions to the Minister before a regulation, pursuant to section 54(1)(b), is made declaring, changing the boundaries of or abolishing a coastal management district; and (b) when making a submission, ask the Minister for a response on the submission.	Section 57	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to appeal against the chief executive's decision to give a coastal protection notice to Council.	Section 59(5)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to appeal against the chief executive's decision to give a tidal works notice to Council.	Section 60(7)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as an owner of land or as a party with an interest in the land, to:- (a) give written notice to the chief executive claiming compensation at any time during, or within 3 months after, the chief executive's occupation and use of the land; and (b) make an agreement with the chief executive concerning the amount of compensation payable.	Section 68(5), (6) and (9)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to keep available for inspection by the public any document given to Council under section 70(2)(c) or 71(2)(b).	Section 72	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to make an application to the chief executive for an allocation of quarry material in tidal water.	Section 73	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to make a submission to the chief executive about Council's views on the removal of quarry material or placement of spoil regarding an application for allocation of quarry material.	Section 75(3)(c)	12-Dec-2017 Item F2	



Coastal Protection and Management Act 1995					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
11.	Chief Executive Officer	Power, as an allocation notice holder, to give the chief executive written notice:- (a) about the quantity of quarry material removed under the allocation in a period where a condition requires it; or (b) about the quantity of quarry material removed under the allocation in a quarter within 20 business days after the end of a quarter.	Section 80(2)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as an allocation notice holder, to apply to the chief executive to transfer all or part of the allocation to another person.	Section 82	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as an allocation notice holder, to apply to the chief executive officer to renew the allocation notice.	Section 83	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as an allocation notice holder, to make representations to the chief executive showing why the allocation notice should not be amended, suspended or cancelled.	Section 86(1)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as an allocation notice holder, to surrender the allocation.	Section 88	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to endorse a plan of subdivision with Council's acceptance of trusteeship of the reserve.	Section 115B(5)(a)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to certify a plan of subdivision which shows an artificial waterway.	Section 119(2)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to maintain and keep clean each canal in its area and access channel for a canal in its area, whether or not the access channel is in its area.	Section 121	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power:- (a) as an owner of freehold land; or (b) an occupier of land, other than freehold land, adjacent to State tidal land; or (c) as a public utility provider; or (d) as a trustee under any law or agreement, to occupy and use State tidal land to carry out tidal works in accordance with a development permit or to maintain and use infrastructure constructed as part of tidal works.	Section 123(4)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power:- (a) as an owner of freehold land adjacent to State tidal land; or (b) as an occupier of land, other than freehold land, adjacent to State tidal land ;or (c) as a public utility provider; or (d) as a trustee under any law or agreement, to ensure that tidal works are maintained in a safe condition.	Section 124	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as an owner or occupier of land, to allow an authorised person to enter the land.	Section 134(3)(a)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to claim compensation if Council incurs a loss or expense because of the exercise or purported exercise of a power under chapter 3, part 2, division 1 by an authorised person.	Section 136	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, as an owner of an interest in land, to claim compensation if the existing use that may be made of the land is changed by a prohibition imposed by the coastal plan or the declaration of a coastal management district.	Section 150 and 152	12-Dec-2017 Item F2	



Coastal Protection and Management Act 1995					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
24.	Chief Executive Officer	Power, as an owner of an interest in land, to appeal against the decision of the chief executive regarding a claim for compensation under section 150.	Section 153(3) and (4)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to make an appeal to the Planning and Environment Court against the chief executive's decision to give Council a coastal protection or tidal works notice.	Section 159	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to bring a proceeding in the Planning and Environment Court for a declaration about a matter done, to be done or that should have been done, for chapter 2, part 3, division 2.	Section 164A	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to:- (a) where the chief executive has delegated powers under the <i>Coastal Protection and Management Act 1995</i> , to exercise those powers; and (b) sub-delegate the powers delegated by the chief executive under subsection (1) to an appropriately qualified entity.	Section 165	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to elect not to be the assessment manager (in which case Council cannot be a referral agency) for an application to make a minor change to a deemed approval under section 177.	Section 190	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to elect not to be the responsible entity for a request to make a permissible change to a deemed approval under section 177.	Section 193	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to elect not to be the responsible entity for a change application.	Section 206(5)	12-Dec-2017 Item F2	

Development Assessment Rules					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as an assessment manager, to determine if the application is a properly made application.	Section 1.2	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as an assessment manager, to give a confirmation notice.	Section 2.3	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as an assessment manager, to give an action notice.	Section 3.1	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as an assessment manager, to agree to a further period for the applicant to comply with all actions in the action notice and give notice to the assessment manager that it has complied.	Section 3.2	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as an assessment manager, to give a confirmation notice if the applicant has complied with the action notice.	Section 3.4	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as an assessment manager, to accept the application as a properly made application after giving an action notice.	Section 3.5	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as an assessment manager, to agree on a further period for giving a confirmation notice.	Section 3.6(b)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as an assessment manager, to agree to a further period for the applicant to give a copy of the application to a referral agency.	Section 5.1	12-Dec-2017 Item F2	



Development Assessment Rules					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
9.	Chief Executive Officer	Power, as a referral agency, to determine if the application is a properly referred application.	Section 6.2	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a referral agency, to give a referral confirmation notice.	Section 7.1	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a referral agency, to give the applicant an action notice	Section 8.1(a)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as a referral agency, to give a copy of the action notice to the assessment manager.	Section 8.1(b)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as a referral agency, to agree to a further period for the applicant to comply with all the actions in the action notice.	Section 8.2	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as a referral agency, where the applicant has complied with all the actions in the action notice, to give a referral confirmation notice to the applicant and a copy to the assessment manager.	Section 8.2(b)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as a referral agency, to give the assessment manager notice that the application is taken to have not been referred.	Section 8.3(b)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as a referral agency, to agree to a further period for the referral agency assessment period.	Sections 9.2(a) and (b)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, as an assessing authority, to agree to receive further information from the applicant during the development assessment process.	Section 11.2	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, as an assessing authority, to make an information request.	Section 12.1	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as an assessment manager, to agree to a further period in which to make the information request.	Section 12.2	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power, as a referral agency, to agree to a further period in which to make the information request.	Section 12.4	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as an assessing authority, to give the applicant advice about an information request or any other matter, including how the applicant may change the application.	Section 12.5	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power, as an assessing authority, to agree to a further period for the applicant to respond to the information request.	Section 13.1	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, as an assessment manager acting under section 53(10) of the Act to comply with the public notice requirements.	Sections 17.1, 17.3 and 17.4	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as an assessment manager, to agree to a further period for the applicant to give notice of compliance with the public notice requirements.	Section 18.1	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as an assessment manager, to accept properly made submissions and not properly made submissions.	Section 19.1	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as an assessment manager, to agree to a further period to consider the submissions.	Section 19.3	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, as the assessment manager, to agree to a further period to assess and decide the application.	Section 22.1(a)	12-Dec-2017 Item F2	



Development Assessment Rules					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
28.	Chief Executive Officer	Power, as the assessment manager, to:- (a) give a copy of the notice to each referral agency for the original application and any other referral agency required to be given referral; and (b) advise each referral agency, with a copy to the applicant, of the effect of the change on the development assessment process.	Section 25.1	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as the assessment manager, to determine whether the change:- (a) only deals with a matter raised in a properly made submission for the application; or (b) is in response to an information request for the application; or (c) is in response to further advice provided by an assessing authority about the application.	Section 26.1	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power, as the assessment manager, to give the applicant a confirmation notice where part 4 applies to the changed application and part 4 did not apply to the original application.	Section 26.2(a)(i)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as the assessment manager, to determine whether the change:- (a) would be likely to attract a submission objecting to the thing comprising the change if public notification were to apply to the change; (b) only addresses a matter raised in a properly made submission.	Section 26.2(b)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as the assessment manager, to give notice to the applicant that public notification is required under section 26.2(b) and that it must be carried out in accordance with section 16.4.	Section 26.2(c)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as a referral agency, despite section 11.1, to make an information request as a result of a referral under section 26.	Section 26.5	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power, as an assessing authority, despite section 11.1, to make an information request about the change.	Section 27.2	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as the assessment manager, to determine whether the change would be likely to attract a submission objecting to the thing comprising the change, if public notification were to apply to the change.	Section 27.3	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, as a concurrence agency, after the referral agency assessment period and any further periods has ended, to change its referral agency response or give a late referral agency response before the application is decided.	Section 28.1	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as a concurrence agency, to give notice of its intention to change its referral agency response to the assessment manager and the applicant.	Section 28.4(a)	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as a concurrence agency, to agree to a further period for the giving of an amended referral agency response.	Section 28.4(b)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as a party to the application, to give notice to each other party that the applicant has not referred the application in accordance with section 54(1) of the Act.	Section 29.2	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as a referral agency, despite section 11.1, to make an information request as a result of a referral under section 29.	Section 29.6	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, as a party who initiated an extension under the DA rules, to give a copy of the agreement to any other party to the application.	Section 33.1	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as an assessment manager or as a concurrence agency for the application, to ask any third party for third party advice.	Section 34.1	12-Dec-2017 Item F2	



Development Assessment Rules					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
43.	Chief Executive Officer	Power, as an assessment manager or as a concurrence agency for the application, to give further advice about the application to the applicant, including how the applicant may change the application.	Sections 35.1 and 35.2	12-Dec-2017 Item F2	

Disaster Management Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to establish a Local Disaster Management Group for the local government area.	Section 29	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to agree to unite with one or more other local government/s for the purpose of establishing a local group.	Section 31	12-Dec-2017 Item F2	
3.	Chief Executive Officer	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 of the district group for the disaster district in which the Local Disaster Management Group is situated.	Section 37	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to prepare a local disaster management plan for disaster management in the local government's area.	Section 57(1)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to review, or renew, its local disaster management plan when local government considers it appropriate.	Section 59	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to, on payment of the appropriate fee, give a person a copy of the local disaster management plan.	Section 60	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to agree to unite with one or more other local governments for the purpose of preparing a local disaster management plan.	Section 61	12-Dec-2017 Item F2	

Disaster Management Regulation 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to appoint a person to a district disaster management group for a disaster district.	Section 5(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to inform the chief executive of the department, and the chairperson of the district group, of an appointment under section 5(1).	Section 5(6)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to nominate a person to a temporary district disaster management group.	Section 7(1)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to appoint a person as a member of a local disaster management group.	Section 9(1)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to appoint a chairperson and deputy chairperson of a local disaster management group.	Section 10(1)	12-Dec-2017 Item F2	



Organisational Services
Organisational Services Administration

Economic Development Act 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to consult with MEDQ about a proposed declaration under section 40C(1).	Section 40B	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to make submissions to MEDQ about the proposed planning instrument change.	Section 41(5)(b)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power as the proposer to prepare a proposed planning instrument change. For the avoidance of doubt this power includes all actions and all matters required to be considered under sections 42A, 42B, 42C, 42D, 42E, 42G, 42H, 42I, 42J and 42L of the <i>Economic Development Act 2012</i>	Sections 42A, 42B, 42C, 42D, 42E, 42G, 42H, 42I, 42J and 42L	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to agree to the making of a regulation making an interim local law.	Section 43(3)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to comply with a request by MEDQ to supply documents or information.	Section 52(3)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to consult with MEDQ about a proposed development scheme.	Section 58(2)(a)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power as an owner of land to consent to the making of a PDA development application.	Section 82(1)(b)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to make submissions to MEDQ about a PDA development application.	Section 84(4)(d)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power as an owner of land to consent to the cancellation of a PDA development approval.	Section 98(2)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power as an owner of land to consent to the making of an amendment application.	Section 99(5)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power as a superseding public sector entity to continue to make and levy the infrastructure expenses recoupment charge.	Section 116E(3)(b)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power as a charging entity to give a charge notice.	Section 116G	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to recover a charge that becomes owing under subsection (1).	Section 117	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to consult with MEDQ about a proposed infrastructure agreement likely to continue to apply to land after the land ceases to be in, or to be PDA-associated land for, a priority development area.	Section 122(2)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power as a directed entity to do everything reasonably necessary to comply with a direction given by MEDQ.	Section 127(4)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power as a directed entity to comply with a direction given by MEDQ to provide or maintain stated infrastructure in, or relating to, a stated priority development area.	Section 128(4)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to subdelegate a function or power of MEDQ delegated to Council under subsection (1) to an appropriately qualified employee Council.	Section 169(4)	12-Dec-2017 Item F2	

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Economic Development Act 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
18.	Chief Executive Officer	Power as a directed entity, in the circumstances specified in subsection (1), to comply with the direction.	Section 213(2)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power as a directed entity, in the circumstances specified in subsection (1), to comply with the direction.	Section 214(2)	12-Dec-2017 Item F2	

Electricity Act 1994					
Note: This register contains the powers of Council as a road authority, public entity and street lighting customer only. It does not contain provisions which apply to Council as a consumer of electricity.					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a road authority, to enter a written agreement with an electricity entity.	Section 102(2)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a road authority, to give an electricity entity information about lines and levels for proposed roadworks.	Section 102(4)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a road authority, to consult with an electricity entity.	Section 103	12-Dec-2017 Item F2	
4.	Chief Executive Officer	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.	Section 106	12-Dec-2017 Item F2	
5.	Chief Executive Officer	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.	Section 117(2)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a person whose interests are affected by a decision mentioned in schedule 1, to apply to the reviewer for internal review of the decision, including all steps necessary to progress the internal review (such as applying for a statement of reasons, applying to QCAT for a stay, participating in a mediation or arbitration).	Sections 214, 215, 216 and 217	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a person whose interests are affected by a decision of the regulator under section 218 to apply to QCAT for an external review of the decision.	Section 219	12-Dec-2017 Item F2	

Electricity Regulation 2006					
Note: This register contains the powers of Council as a public entity and local government only. It does not contain provisions which apply to Council as a consumer of electricity.					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a public entity, to agree on a different consultation period with an electricity entity.	Section 18(3)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a public entity, to impose reasonable requirements on an electricity entity that proposes to undertake action on a publicly controlled place.	Section 19(1)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	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.	Section 20(2)	12-Dec-2017 Item F2	


Electricity Regulation 2006

Note: This register contains the powers of Council as a public entity and local government only. It does not contain provisions which apply to Council as a consumer of electricity.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
4.	Chief Executive Officer	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.	Section 21(2)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a public entity, to agree with an electricity entity about the way maintenance work is to be carried out.	Section 22(2)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	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 objection to the proposal.	Section 24	12-Dec-2017 Item F2	

Environmental Offsets Act 2014

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to make an environmental offsets policy available for inspection.	Section 12(3)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to consider a notice of election and any offset delivery plan.	Section 19(1)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to decide whether it is appropriate to deliver the environmental offset in the way stated in the notice of election, and any offset delivery plan, or whether the offset should be delivered in a different way and to give notice of the decision.	Sections 19(2) and 19(3)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to agree to amend either or both of the agreed delivery arrangement and an offset delivery plan.	Section 19(7)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to give the notice required to be given under subsection (4).	Section 19A	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to enter another agreed delivery arrangement..	Section 20	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to decide an application to remove duplicate conditions.	Section 25A	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to credit amounts received by Council as a financial settlement offset to Council's trust fund.	Section 89(1)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to transfer an amount received by Council as a financial settlement offset in one of the circumstances listed in subsection (2).	Section 89(2)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as an administering agency, to keep a register of the matters listed in subsection one, make the register available for inspection and give information held on the register to the chief executive.	Section 90	12-Dec-2017 Item F2	



Environmental Offsets Act 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
11.	Chief Executive Officer	Power, as an administering agency, to decide an application to amend:- (a) an existing authority; (b) an authority granted, on or after commencement, as the result of an application that was made but not dealt with, before commencement, and to do all things authorised or required by section 95B following the making of the decision.	Section 95B	12-Dec-2017 Item F2	

Environmental Offsets Regulation 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as an owner of land proposed to be included within a new area covered by a later environmental offset agreement, to decide whether or not to consent to the amended declaration of the environmental offset protection area.	Section 11(3)(c)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a decision maker, to decide an application for an area of land to be identified as an advanced offset and to do all things authorised or required by section 14 following the making of the decision.	Section 14	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a decision maker, to remove an advanced offset from the register kept under section 90 of the Act.	Section 14(7)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a decision maker, to decide an application to vary the boundary of an area of land identified as an advanced offset and to do all things authorised or required by section 15 following the making of the decision.	Section 15	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a relevant entity, to extend the time for applying for internal review.	Section 18(2)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a relevant entity, to review a reviewable decision, make an internal review decision and to do all things authorised or required by section 19 following the making of the decision.	Section 19	12-Dec-2017 Item F2	

Environmental Protection (Water) Policy 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, in cooperation with the chief executive, to develop a healthy waters management plan.	Section 24	12-Dec-2017 Item F2	

Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as an affected person, to make written comments to the chief executive about a TOR notice.	Sections 42 and 43	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to make a written submission about a submitted EIS.	Section 54	12-Dec-2017 Item F2	



Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
3.	Chief Executive Officer	Power, as an administering authority, to give an applicant a notice about an application that is not a properly made application.	Section 128	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to agree a further period within which the applicant must give notice under section 128	Section 129	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as an administering authority, to give a notice about an application made by joint applicants, to the principal applicant nominated in the application.	Section 130	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as an administering authority, to refuse to allow a change to an application if the change would result in the application not being a properly made application and the applicant does not take action to make the remade application properly made.	Section 132	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as an administering authority, to give written agreement that a change to an application is a minor change.	Section 133	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as an administering authority, to determine satisfaction that the requirements under the application stage have been complied with.	Section 136(b)(i)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as an administering authority, to make a written information request to the applicant to give further information needed to assess the application.	Section 140	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as an administering authority, to agree to extend the applicant's information request response period.	Sections 145 and 147	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as an administering authority, to determine not to make an information request.	Section 148(b)(i)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as an administering authority, to determine the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.	Section 150(1)(d)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as an administering authority, to give the applicant an information notice prescribing an additional or substituted way to give public notice of an application.	Section 152	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to decide to allow or not allow substantial compliance with public notice requirements.	Section 159	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as an administering authority, to, by written notice to the applicant, extend the decision period and further extend the decision period with the written agreement of the applicant.	Section 168	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as an administering authority, to approve a standard application subject to the standard conditions for the relevant activity or authority.	Section 170	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, as an administering authority, to approve a variation application subject to the standard conditions for the relevant activity or authority or subject to conditions which are different to the standard conditions for the activity or authority.	Section 171	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, as an administering authority, to refuse a site- specific application or approve a site-specific application subject to conditions.	Section 172	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as an administering authority, to issue an environmental authority.	Section 172	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power, as an administering authority, to include a copy of the environmental authority in the relevant register.	Section 177	12-Dec-2017 Item F2	



Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
21.	Chief Executive Officer	Power, as an administering authority, to give an information notice to the applicant for an environmental authority.	Section 198(2)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power, as an administering authority, to give an information notice about the decision to any submitter for the application.	Section 198(4)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, as an administering authority, to impose a condition on an environmental authority or draft environmental authority to which section 115 applies.	Section 203	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as an administering authority, to amend an environmental authority to correct a clerical or formal error by giving written notice to the holder but only if the amendment does not adversely affect the interests of the holder or anyone else.	Section 211	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as an administering authority, to amend an existing environmental authority issued subject to conditions to replace the existing standard conditions with new standard conditions issued by the chief executive and to give written notice of the amendment to the environmental authority holder.	Section 213	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as an administering authority, to make an amendment to an environmental authority:- (a) which is necessary or desirable because of a matter mentioned in section 215(2) and where the procedure required by Chapter 5, Part 6, Division 2; or (b) if the holder has agreed in writing to the amendment.	Section 215	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, as an administering authority, to make other amendments to an environmental authority in accordance with the procedure required by Chapter 5, Part 6, Division 2 or with the written agreement of the authority holder.	Sections 216 and 219	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, as an administering authority, to refuse an amendment application to which section 227A(1) applies, to require the environmental authority holder to make a site specific application and to give written notice of the refusal to the applicant.	Section 227A	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as an administering authority, to decide whether an application made by the holder of an environmental authority to amend the authority is a minor or major amendment.	Section 228	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power, as an administering authority, to set the submission period for the application by written notice.	Section 234	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as an administering authority, to give written agreement to the continued assessment of a changed application to amend an environmental authority.	Section 237	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as an administering authority, to request further information needed to assess a changed amendment application which is not a minor change and to which the information stage applies.	Section 238(3)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as an administering authority, to decide that the notification stage be repeated in respect of a changed amendment application which would be likely to attract a submission objecting to the change.	Section 238(7)	12-Dec-2017 Item F2	



Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
34.	Chief Executive Officer	Power, as an administering authority, to:- (a) decide to approve or refuse an amendment application; (b) if the amendment is approved, to make other amendments to the conditions of the environmental authority; (c) give notice of the decision to the applicant; and (d) include a copy of any amended environmental authority in the register.	Sections 240 & 242	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as an administering authority, to decide to approve an application to amalgamate environmental authorities or refuse an amalgamation application to which section 247(1)(b) applies.	Section 247	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, as an administering authority, to:- (a) de-amalgamate an environmental authority; (b) issue 2 or more environmental authorities; and (c) include each environmental authority in the relevant register.	Section 250C	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as an administering authority, to approve or refuse an application by the holder of an environmental authority to transfer all or part of the environmental authority to another entity.	Section 254	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as an administering authority, to decide whether a final rehabilitation report includes enough information to decide that the requirements in section 264(1)(b)(i) and 264(1)(b)(ii) have been met.	Section 264	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as an administering authority, to make a written request to an applicant to give further information needed to assess an application to surrender an environmental authority.	Section 265	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as an administering authority, to approve or refuse a surrender application.	Section 266	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, as an administering authority, to:- (a) cancel or suspend an environmental authority if an event mentioned in section 278(2) has occurred; (b) follow the procedures in Chapter 5, Part 11, Division 2; (c) give notice of the decision; and (d) record the action in the relevant register.	Sections 278, 279, 280, 281, 282, 283 and 284	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as an administering authority, to approve or refuse an application made by the holder of an environmental authority to suspend the environmental authority.	Section 284C	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, as an administering authority, to impose a condition on an environmental authority requiring the holder to give financial assurances as security for compliance with the environmental authority and for costs or expenses mentioned in section 298.	Section 292	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as an administering authority, to decide the amount and form of financial assurance required under a condition of an environmental authority.	Section 295	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power, as an administering authority, to give notice of the decision under section 295(1).	Section 296	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power, as an administering authority, to decide to make a claim on or realise a financial assurance and give an information notice about the decision.	Section 301	12-Dec-2017 Item F2	



Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
47.	Chief Executive Officer	Power, as an administering authority, to by written notice require an applicant to give a compliance statement for a financial assurance before deciding an application to amend or discharge the financial assurance.	Section 304	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power, as an administering authority, to approve or refuse an application by the holder of an environmental authority to amend the amount or form of a financial assurance stated in a notice given under section 296 or to discharge a financial assurance.	Section 305	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power, as an administering authority, to require a change of the amount of a financial assurance.	Section 306	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power, as an administering authority to, in the circumstances referred to in subsection (1), give notice stating how much of the financial assurance has been used and requiring it be replenished.	Section 307	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power, as the administering authority, to recover from the holder of an environmental authority as a debt, outstanding annual fees.	Section 308	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as an administering authority, to change the anniversary day for an environmental authority for which an annual fee is prescribed, in the circumstances provided for by section 310(1)(a) and 310(1)(b).	Section 310	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as an administering authority, to change an anniversary day for an environmental authority.	Section 311	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power, as an administering authority to, in the circumstances specified in section 314(1)(a) and 314(1)(b):- (a) require the holder of the environmental authority to make a site-specific application for a new environmental authority under Chapter 5 Part 2 or make an amendment application for the authority under Chapter 5 Part 7; (b) give written notice of the proposed requirement prior to making it.	Section 314	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power, as an administering authority, to ask any entity for advice, comment or information about an application made under Chapter 5.	Section 315	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power to make submissions about a proposed ERA standard.	Section 318A	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power, as person aware of an event described in section 320A, to give written notice of the event, its nature and the circumstances in which it happened to the administering authority, any occupier of the affected land or any registered owner of the affected land, or by public notice.	Section 320C	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power, as employer aware of an event described in section 320A, to give written notice of the event, its nature and the circumstances in which it happened to the administering authority, any occupier of the affected land or any registered owner of the affected land, or by public notice.	Section 320D	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power, as a person mentioned in section 320A(2)(a), to within 24 hours after becoming aware of an event or change mentioned in section 320A(2)(b)(i) or (ii) give the administering authority written notice of the matters stated in subsection (2).	Section 320DA(1)	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power, as a person mentioned in section 320A(2)(a), to within 20 business days after becoming aware of an event or change mentioned in section 320A(2)(b)(iii) give the administering authority written notice of the activity.	Section 320DA(3)	12-Dec-2017 Item F2	



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Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
61.	Chief Executive Officer	Power, as a local government mentioned in section 320(3)(a), to within 20 business days after becoming aware that the activity has been, or is being, carried out on land in its area, give the administering authority written notice.	Section 320DB(1)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power, as a local government mentioned in section 320(3)(b), to within 24 hours after becoming aware of the event or the change in condition of the land give the administering authority written notice.	Section 320DB(2)	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power, as an administering authority, to require a person to conduct or commission an environmental audit and give an environmental report about the audit.	Sections 322 and 323	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power, as an administering authority, to require a person to conduct or commission an environmental investigation.	Section 326B	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power, as an administering authority, to ask for further information.	Section 326F	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power, as an administering authority, to accept the report or refuse to accept the report and to give notice of the decision.	Section 326G	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power, as an administering authority which has accepted an environmental report under section 326G, to do 1 or more of the things listed in subsection (1).	Section 326H	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power, as an administering authority which has refused to accept an environmental report under section 326G(4)(b), to, by written notice, require the recipient to conduct or commission another environmental investigation and submit a report on the investigation.	Section 326I	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power, as an administering authority, to require a person or public authority to submit a draft transitional environmental program.	Section 332	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power to submit a draft transitional environmental program to the administering authority for approval.	Section 333	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power, as an administering authority, to by written notice require the person or public authority that submitted the draft transitional environmental authority to give further information.	Section 334A	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power to make a submission in relation to a draft transitional environmental program.	Section 335	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power, as an administering authority, to invite parties to a conference to help it determine whether or not to approve a draft transitional environmental program.	Section 336	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power, as an administering authority, to seek advice, comment or information about a TEP submission.	Section 336A	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power, as an administering authority, to extend the period for decision about a draft transitional environmental program and approve a draft transitional environmental program.	Section 337	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power, as an administering authority, to:- (a) approve a draft transitional environmental program as submitted or with amendments requested or agreed to by the administering authority; or (b) refuse to approve a draft transitional environmental program.	Section 339(1)	12-Dec-2017 Item F2	

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
77.	Chief Executive Officer	Power, as an administering authority, to impose on an approval of a draft transitional environmental program:- (a) any conditions the authority must impose under a regulatory requirement; and (b) any other conditions the administering authority considers appropriate.	Section 339(2)	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power, as an administering authority, to give a person or public authority who submitted a draft transitional environmental program for approval written notice of the decision.	Section 340	12-Dec-2017 Item F2	
79.	Chief Executive Officer	Power, as an administering authority, to approve a draft transitional environmental program if there has been substantial compliance with public notice requirements.	Section 342	12-Dec-2017 Item F2	
80.	Chief Executive Officer	Power, as an administering authority, to consider and approve or refuse an application to amend a transitional environmental program.	Section 344	12-Dec-2017 Item F2	
81.	Chief Executive Officer	Power, as an administering authority, to cancel the approval for a transition environmental program, give notice of the decision or record details of the decision in a register.	Section 344E	12-Dec-2017 Item F2	
82.	Chief Executive Officer	Power, as an administering authority, to withdraw the notice or remove the record.	Section 344F	12-Dec-2017 Item F2	
83.	Chief Executive Officer	Power, as an administering authority, to give the holder of the environmental authority a copy of the authority that does not include the note.	Section 344G	12-Dec-2017 Item F2	
84.	Chief Executive Officer	Power, as an administering authority, to apply to the Court for an order that section 353(1) does not apply.	Section 355	12-Dec-2017 Item F2	
85.	Chief Executive Officer	Power, as an administering authority who has made an application to the Court under section 355, to apply to the Court for an order pending decision on the application	Section 357(2)	12-Dec-2017 Item F2	
86.	Chief Executive Officer	Power, as administering authority, to – <ul style="list-style-type: none"> • grant an application for a temporary emissions licence, with or without conditions, as submitted or on different terms than have been requested in the application; or • refuse to grant the application for a temporary emissions licence. 	Sections 357C, 357D and 357E	12-Dec-2017 Item F2	
87.	Chief Executive Officer	Power, as administering authority, to amend, cancel or suspend a temporary emissions licence.	Section 357J	12-Dec-2017 Item F2	
88.	Chief Executive Officer	Power, as holder of a temporary emissions licence, to give written agreement to the amendment of the licence.	Section 357J	12-Dec-2017 Item F2	
89.	Chief Executive Officer	Power, as an administering authority, to issue an environmental protection order.	Section 358	12-Dec-2017 Item F2	
90.	Chief Executive Officer	Power, as an administering authority, to decide a person has a relevant connection with a company.	Section 363AB	12-Dec-2017 Item F2	
91.	Chief Executive Officer	Power, as an administering authority, to issue an environmental protection order to a related person of the company.	Section 363AC	12-Dec-2017 Item F2	
92.	Chief Executive Officer	Power, as an administering authority, to issue an environmental protection order to a related person of a high risk company.	Section 363AD	12-Dec-2017 Item F2	
93.	Chief Executive Officer	Power, as an administering authority, to issue a cost recovery notice to the recipient.	Section 363AI	12-Dec-2017 Item F2	



Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
94.	Chief Executive Officer	Power, as an administering authority, to claim the amount from the recipient as a debt.	Section 363A(7)	12-Dec-2017 Item F2	
95.	Chief Executive Officer	Power, as the land's owner, to make a written submission to the administering authority in response to a show cause notice issued pursuant to section 375.	Section 376	12-Dec-2017 Item F2	
96.	Chief Executive Officer	Power, to give the administering authority:- (a) a contaminated land investigation document accompanied by a declaration and a statement; and (b) a statement as owner of the land agreeing to the draft plan.	Section 390	12-Dec-2017 Item F2	
97.	Chief Executive Officer	Power, as a prescribed responsible person, to make a written submission in response to a show cause notice issued pursuant to section 391.	Section 392(1)	12-Dec-2017 Item F2	
98.	Chief Executive Officer	Power, as a prescribed responsible person, to comply with a notice issued by the administering authority pursuant to this section.	Section 394(5)	12-Dec-2017 Item F2	
99.	Chief Executive Officer	Power, as a prescribed responsible person, to:- (a) obtain the consent of the owner or occupier to enter the land; (b) give the owner or occupier written notice of the intention to enter the land; (c) agree with the owner or occupier about reasonable compensation because of the loss or damage; and (d) appear in any proceeding before a court of competent jurisdiction (including instructing a legal representative to appear) where agreement about compensation cannot be reached.	Section 395	12-Dec-2017 Item F2	
100.	Chief Executive Officer	Power, as a prescribed responsible person, to comply with a requirement of the administering authority given pursuant to this section.	Section 397	12-Dec-2017 Item F2	
101.	Chief Executive Officer	Power to apply to amend a site management plan and to comply with Chapter 7, Part 8, Division 3, Subdivisions 2 to 4 as they relate to the application.	Section 402	12-Dec-2017 Item F2	
102.	Chief Executive Officer	Power, as owner or occupier of land, to consent to the amendment of a site management plan for the land by the administering authority.	Section 403	12-Dec-2017 Item F2	
103.	Chief Executive Officer	Power, as the person who released the contaminant, the relevant local government or the owner of the land, to prepare a draft amendment of a site management plan if requested to do so by the administering authority and to comply with Chapter 7, Part 8, Division 3, Subdivisions 2 to 5 as they relate to the draft amendment.	Section 404	12-Dec-2017 Item F2	
104.	Chief Executive Officer	Power, as owner of land, to give a lessee or proposed lessee notice that particulars of the land have been recorded in the contaminated land register.	Section 407	12-Dec-2017 Item F2	
105.	Chief Executive Officer	Power, as an owner of land in a circumstance listed in subsection (1), to give the notice required by subsection (2).	Section 408	12-Dec-2017 Item F2	
106.	Chief Executive Officer	Power, as an administering authority, to require a person to provide information for the enforcement or administration of this Act.	Section 451	12-Dec-2017 Item F2	
107.	Chief Executive Officer	Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 452	12-Dec-2017 Item F2	
108.	Chief Executive Officer	Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 454	12-Dec-2017 Item F2	

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Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
109.	Chief Executive Officer	Power, as an administering authority, to issue a notice that an authorised person will enter land.	Section 454(3)(b) and (4)	12-Dec-2017 Item F2	
110.	Chief Executive Officer	Power, as the occupier of access land, to consent to an authorised person's entry onto the land.	Section 455	12-Dec-2017 Item F2	
111.	Chief Executive Officer	Power as a person to whom an emergency direction is given to comply with the direction and to take the steps required by subsection (b).	Section 478	12-Dec-2017 Item F2	
112.	Chief Executive Officer	Power, as an administering authority, to waive payment of costs of investigation or remediation work.	Section 489	12-Dec-2017 Item F2	
113.	Chief Executive Officer	Power, as an administering authority, to make an application to the court for an order against a defendant for costs.	Section 501(1)(c)	12-Dec-2017 Item F2	
114.	Chief Executive Officer	Power, as an administering authority, to carry out work or take other action reasonably necessary where a person has failed to comply with an order made under section 502.	Section 502A(2)	12-Dec-2017 Item F2	
115.	Chief Executive Officer	Power, as an administering authority, to make an application to the Court to remedy or restrain an offence against this Act.	Section 505	12-Dec-2017 Item F2	
116.	Chief Executive Officer	Power, as a person who has made an application pursuant to section 505, to seek an order of the Court pending determination of the application.	Section 506	12-Dec-2017 Item F2	
117.	Chief Executive Officer	Power, as the administering authority, to: (a) accept or reject an enforceable undertaking; (b) given written notice of the decision and the reasons for the decision (c) publish a copy of any undertaking on Council's website; and (d) take all reasonable steps to have any proceedings in relation to the contravention discontinued.	Section 507	12-Dec-2017 Item F2	
118.	Chief Executive Officer	Power, as the administering authority, to agree in writing to the withdrawal or variation of an enforceable undertaking and to publish notice of the withdrawal or variation on Council's website.	Section 509	12-Dec-2017 Item F2	
119.	Chief Executive Officer	Power, as the administering authority, to amend an enforceable undertaking by written agreement.	Section 510	12-Dec-2017 Item F2	
120.	Chief Executive Officer	Power, as the administering authority, to make an amendment to an enforceable undertaking to correct a clerical or formal error and give written notice of the amendment.	Section 511	12-Dec-2017 Item F2	
121.	Chief Executive Officer	Power, as the administering authority, to:- (a) amend or suspend an enforceable undertaking where satisfied one of the circumstances in subsections 512(1)(a) to (d) apply; and (b) comply with the requirements of subsection 512(2) to (7).	Section 512	12-Dec-2017 Item F2	
122.	Chief Executive Officer	Power, as the administering authority, to apply to the Magistrates Court for an order if a person contravenes an enforceable undertaking.	Section 513(2)	12-Dec-2017 Item F2	
123.	Chief Executive Officer	Power to exercise all the powers of the chief executive that have been delegated to Council. (Sub-section (2) permits sub delegation of these powers to a qualified entity).	Section 516	12-Dec-2017 Item F2	
124.	Chief Executive Officer	Power, where the chief executive has delegated the powers as an administering authority to Council, to exercise those delegated powers.	Section 518(1)	12-Dec-2017 Item F2	



Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
125.	Chief Executive Officer	Power, as an administering authority, to review a decision.	Section 521(5)	12-Dec-2017 Item F2	
126.	Chief Executive Officer	Power, as a dissatisfied person, to apply for a review of an original decision.	Section 521	12-Dec-2017 Item F2	
127.	Chief Executive Officer	Power, as a dissatisfied person that has applied for a review under section 521, to apply to the Planning and Environment Court or the Land Court for a stay of operation of the original decision.	Section 522	12-Dec-2017 Item F2	
128.	Chief Executive Officer	Power, as a dissatisfied person, to appeal to the Land Court against a review decision of an original decision mentioned in schedule 2, part 1.	Section 524	12-Dec-2017 Item F2	
129.	Chief Executive Officer	Power, as a dissatisfied person, to appeal to the Planning and Environment Court against a review decision of an original decision, other than a review decision to which Chapter 11, Part 3, Division 3, Subdivision 1 of this Act applies or a review decision that relates to an original decision mentioned in Schedule 2, Part 3.	Section 531	12-Dec-2017 Item F2	
130.	Chief Executive Officer	Power, as an administering authority, keep the registers listed in section 540(1) and keep them available for inspection.	Section 540, 541 and 542	12-Dec-2017 Item F2	
131.	Chief Executive Officer	Power, as an administering authority, to prepare and submit a report to the chief executive.	Section 546	12-Dec-2017 Item F2	
132.	Chief Executive Officer	Power, as an administering authority, to consult with the chief executive about guidelines the chief executive proposes for administering authorities.	Section 548(3)	12-Dec-2017 Item F2	
133.	Chief Executive Officer	Power to consult with the chief executive about guidelines the chief executive proposes.	Section 549(3)	12-Dec-2017 Item F2	
134.	Chief Executive Officer	Power, in the circumstance referred to in subsection 574BA(1), to recover the administering authorities reasonable costs and expenses in performing the function.	Section 574BA	12-Dec-2017 Item F2	
135.	Chief Executive Officer	Power, as an administering authority, to request written notice of damage caused to land or something on the land by a person who enters land under an entry order.	Section 578	12-Dec-2017 Item F2	
136.	Chief Executive Officer	Power, as an administering authority, to change or cancel a condition of an environmental authority given continuing effect under section 619(2)(d) or 619(4)(d) of this Act.	Section 620	12-Dec-2017 Item F2	
137.	Chief Executive Officer	Power, as an administering authority, in relation to an activity being carried out under section 619(1) of this Act, to give the person carrying out the activity a development approval and a registration certificate.	Section 621	12-Dec-2017 Item F2	
138.	Chief Executive Officer	Power, as an administering authority, to give the registered operator for a level 1 approval for a level 1 chapter 4 activity taken to be a registration certificate under section 619, a notice stating that section 316 applies to the registration certificate.	Section 623	12-Dec-2017 Item F2	
139.	Chief Executive Officer	Power, as an administering authority, to amend a condition about financial assurance imposed under Chapter 13 Part 7.	Section 634	12-Dec-2017 Item F2	
140.	Chief Executive Officer	Power, as an administering authority, to consider or continue to consider, a draft transitional program submitted under section 332 or 333 before 4 April 2011 and decide whether to approve it under the unamended Act.	Section 671(2)	12-Dec-2017 Item F2	



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Environmental Protection Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
141.	Chief Executive Officer	Power, as an administering authority, to approve or refuse an application made by the holder of a transitional authority, to convert the conditions of the transitional authority to the standard conditions for the authority or relevant activity.	Section 697	12-Dec-2017 Item F2	
142.	Chief Executive Officer	Power, as an administering authority, to approve an application to convert a surrendered registration certificate to an environmental authority that has been suspended under Chapter 5, Part 11A of this Act.	Section 698B	12-Dec-2017 Item F2	
143.	Chief Executive Officer	Power, as an administering authority, to amend an environmental authority to which a requirement applies to impose a condition about the financial assurance and to give written notice of the amendment to the authority holder.	Section 699	12-Dec-2017 Item F2	

Environmental Protection Regulation 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a generator, to give the transporter the prescribed information about the waste in the prescribed form and to record the prescribed information about the waste.	Section 81I	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a transporter, to give the receiver the prescribed information about the waste in the prescribed form and to record the prescribed information about the waste.	Section 81J(2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.	Section 81J(3)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a receiver, to record the prescribed information about the waste.	Section 81K(1)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a receiver, to give a copy of the prescribed information about the waste to the administering authority.	Section 81K(2)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a receiver, to give the administering authority notice of a discrepancy in information received from the transporter.	Section 81K(3)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a receiver, to record the prescribed information about the waste.	Section 81O(1)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a receiver, to give a copy of the prescribed information about the waste to the administering authority.	Section 81O(2)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a receiver, to give the administering authority notice of a discrepancy in information received from the transporter.	Section 81O(3)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a generator, to give the transporter the prescribed information about the waste and to record the prescribed information about the waste.	Section 81R(1)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a generator, to give the prescribed information about the waste to the administering authority.	Section 81R(2)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.	Section 81S(2)	12-Dec-2017 Item F2	

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Environmental Protection Regulation 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
13.	Chief Executive Officer	Power to apply to the administering executive for approval of a particular way of giving prescribed information to the administering authority under division 3 and to take all steps necessary to advance the application.	Section 81W	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to apply to the administering executive for a consignment number for loads of trackable waste to be transported into Queensland and to take all steps necessary to advance the application.	Section 81X	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to apply to the administering executive for an exemption for the transportation of trackable waste to which Chapter 5, Part 9 applies and to take all steps necessary to advance the application.	Section 81Y	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to apply to the administering executive for a generator identification number.	Section 81ZB	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to require an owner or occupier of relevant premises to supply waste containers other than standard general waste containers. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZF(1)(b)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to supply premises with standard general waste containers. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZF(2)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to require a waste container to be kept at a particular place at a premises. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZH(1)(a)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to require a prescribed person of serviced premises, other than a detached dwelling, to supply: (a) an elevated stand; or (b) an imperviously paved and drained area for the waste containers, and (c) a hose cock and hose in the vicinity of the stand or paved area; and (d) a suitable enclosure for the waste containers. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZI(2)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to give a written notice about the removal of general waste. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZJ	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to give written approval to the owner or occupier of relevant premises for depositing and disposing of general waste and to impose conditions on the approval. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZK	12-Dec-2017 Item F2	

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Environmental Protection Regulation 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
23.	Chief Executive Officer	Power to require the occupier of relevant premises where there is industrial waste to: (a) supply industrial waste containers; (b) keep the waste containers in a specified location; and (c) keep the waste containers clean and in good repair. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZL	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to require occupier of relevant premises, where there is industrial waste, to treat the waste to the standard required by Council for disposal of the waste at a waste facility. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZM	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to administer and enforce chapter 5A, part 2. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZS	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as the owner, operator or controller of a waste facility, to administer and enforce chapter 5A, part 3. Note: this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 July 2018 (whichever is the earlier)	Section 81ZT	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to give the chief executive the information identified in subsection (2).	Section 85(2)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to comply with a notice issued by the chief executive pursuant to subsection (6).	Section 85(7)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to keep the information listed in section 87.	Section 87	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to make written representations to the Minister in response to a notice issued pursuant to subsection (4).	Section 88	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to apply to the chief executive for an estimation technique approval and to respond to any request for further information.	Section 91	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to give the chief executive a written notice claiming that the information required to be given under section 85(2) or (7) should be treated as confidential and to respond to any requests for further information.	Section 95	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to administer and enforce those provisions of the Act devolved to Council.	Sections 98, 99, 100 and 101, 102	12-Dec-2017 Item F2	



Environmental Protection Regulation 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
34.	Chief Executive Officer	Power, as an administering authority, to recover as a debt an unpaid fee under the Act.	Section 116A	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as an administering authority, to recover as a debt from the holder of an environmental authority an unpaid supplementary annual fee for an amended environmental authority.	Section 134	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to administer and enforce former environmentally relevant activities devolved to Council.	Section 156	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as an administering authority, to refund:- (a) the application fee for a later application; and (b) the annual fee for a development approval for chemical storage.	Section 164	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as an administering authority, to refund to the holder of an environmental authority an annual fee if environmental authorities are amalgamated.	Section 168	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as an administering authority, to exercise the power contained in previous section 135 where the circumstances in subsection 177(1) apply.	Section 177	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as an administering authority, to exercise the power contained in previous section 136 where the circumstances in subsection 178(1) apply.	Section 178	12-Dec-2017 Item F2	

Fire and Emergency Service Act 1990					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to comply with a requirement issued by an authorised fire officer under subsection (2).	Section 58D	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to comply with a requisition notice.	Section 69	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to provide information sought by the commissioner in a notice.	Section 96	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to prepare an off-site emergency plan and to amend the plan.	Sections 97, 99 and 100	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to pay to the commissioner charges for any advice or other assistance provided in preparation of an off-site emergency plan.	Section 98(2)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to implement an off-site emergency plan.	Section 101	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to give written notice to the chief executive of a change of circumstances affecting an off-site emergency plan.	Section 102(1)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as the occupier of a building, to maintain a fire and evacuation plan and to provide instructions to prescribed persons in the building concerning the action to be taken by them in the event of fire threatening the building.	Section 104E	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to pay to the commissioner charges for any advice or other assistance provided in preparation of a fire and evacuation plan.	Section 104F(2)	12-Dec-2017 Item F2	



Fire and Emergency Service Act 1990					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
10.	Chief Executive Officer	Power to consult with the commissioner about a notice under section 104G(1).	Section 104G(2)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as the occupier or owner of a building, to comply with a notice issued by the commissioner under section 104G(1).	Section 104G(3)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to consult with an authorised officer about a notice under section 104I(7) or (8).	Section 104I(9)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to nominate a person to be appointed an assessor by the commissioner to help QCAT in section 104SG(1) proceedings.	Section 104SI(2)(b)(ii)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to furnish to the chief executive a return disclosing the particulars prescribed under a regulation relating to certain properties.	Section 109(1)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to collect annual contributions and other amounts imposed by the local government pursuant to Part 10 of the <i>Fire and Emergency Service Act</i> .	Section 111(2)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to, in respect of each financial year: (a) determine the prescribed properties within its area; and (b) determine the annual contributions payable in respect of prescribed properties by reference to the categories prescribed under a regulation made under section 108.	Section 112(1)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to give the owner of a prescribed property a levy notice.	Section 112(2)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to give the chief executive information which is relevant to the determination of an appeal against a local government's determination, if required by the chief executive.	Section 113(3)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to amend, revoke or give a new levy notice if the chief executive allows an appeal.	Section 113(6)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to refund to the appellant any amount paid in respect of contributions, for the financial year to which the notice relates and for any previous financial year, in excess of the amount calculated in accordance with the chief executive's determination.	Section 113(7)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to decide the way in which it keeps an administration fee for performing functions under Part 10 of the <i>Fire and Emergency Service Act</i> .	Section 117(3)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to make payments to the department, for the fund, out of its operating fund from moneys received or recovered by the local government under Part 10.	Section 118(1)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to prepare and submit a return in the approved form	Section 118(4)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to refuse or grant, subject to any conditions, an application to pay contributions by instalments.	Section 121(2)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to engage a debt collector (authorised to perform a debt collection activity under the <i>Debt Collectors (Field Agents and Collection Agents) Act 2014</i>) to collect any arrears of annual contribution payable by an owner of prescribed property, and to require by notice in writing the owner to pay an amount by way of a collection fee.	Section 126(1)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to make and levy special rates or charges or separate rates or charges and to contribute amounts raised to rural fire brigades operating in Council's local government area.	Section 128A	12-Dec-2017 Item F2	


Fire and Emergency Service Act 1990

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
27.	Chief Executive Officer	Power to consult with the commissioner about the establishment of an SES unit in Council's local government area.	Section 133(2)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to nominate a person to be the local controller for an SES unit.	Section 134(2)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power as a local government affected by a disaster to request the commissioner to appoint a person as a SES coordinator.	Section 136(3)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to consult with the commissioner about the appointment of a person as a SES coordinator.	Section 136(4)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power to enter an agreement with the Department which sets out the responsibilities of each party in relation to the SES in Council's local government area.	Section 140	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power to consult with the commissioner about the establishment of an ES unit in Council's local government area.	Section 141(2)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to consult with the commissioner about the functions of an ES unit in Council's local government area.	Section 142(3)	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to nominate a person to be a ES unit coordinator.	Section 146(2)	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to produce to an authorised person any document or record mentioned in subsection (2)(b).	Section 152C(4)	12-Dec-2017 Item F2	

Food Act 2006

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	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.	Section 23(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to administer and enforce sections 32, 33, 35 and 36 of the <i>Food Act 2006</i> , in conjunction with the State.	Section 24	12-Dec-2017 Item F2	
3.	Chief Executive Officer	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> .	Section 25(1)(a)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	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> .	Section 25(1)(b)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	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> .	Section 28	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to consider and grant, or refuse to grant, an application for a licence to carry on a licensable food business.	Section 55	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to obtain and consider the written advice of an auditor about whether a food safety program complies with section 98.	Section 56(2)	12-Dec-2017 Item F2	



Food Act 2006					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
8.	Chief Executive Officer	Power to decide whether premises are suitable for carrying on a licensable food business.	Section 58	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to make enquiries as to the suitability of the applicant to hold a licence, and the suitability of the premises for carrying on a licensable food business.	Section 59(1)(a)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to require the applicant to give Council further information or documents that Council reasonably requires.	Section 59(1)(b)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to extend the time needed to make a decision about the application.	Section 62(2)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to agree with the applicant, at any time prior to the final consideration day, about the day upon which the application must be decided.	Section 62(3)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to issue a provisional licence, at any time prior to deciding an application for a licence.	Section 64	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to decide the term of the licence. (Note: not more than 3 years).	Section 67	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to decide the term of the provisional licence. (Note: not more than 3 months).	Section 68(1)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to extend, and further extend, the term of a provisional licence (to a total period of not more than 3 months after the provisional licence was issued).	Section 68(2)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to impose reasonable conditions on the licence.	Section 69(1)(e)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to consider and renew, or refuse to renew, the licence for an application made under section 72(1) of the <i>Food Act 2006</i> .	Section 72(3)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to consider and restore, or refuse to restore, the licence, where application has been made under section 73(1) of the <i>Food Act 2006</i> .	Section 73(3)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to consider and amend, or refuse to amend, a licence, where application has been made under section 74(1) of the <i>Food Act 2006</i> .	Section 74(3)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to require the applicant to give Council further information or documents Council reasonably requires to decide the application (for an application that is made under Chapter 3, Part 5, Division 2, Subdivision 1, i.e. sections 72(1), 73(1) and 74(1)).	Section 75(1)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to give an information notice where Council has failed to decide an application within 30 days of receipt under Chapter 3, Part 5, Division 2, Subdivision 1, i.e. Sections 72(1), 73(1) and 74(1).	Section 77(4)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to give a show cause notice.	Section 79(2)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to consider representations about a show cause notice.	Section 80(2)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to end the show cause process after considering representations made by the licensee.	Section 81	12-Dec-2017 Item F2	



Food Act 2006					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
26.	Chief Executive Officer	Power to suspend a licence after considering representations (if any).	Section 82(2)(a)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to cancel a licence after considering representations (if any).	Section 82(2)(b)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to suspend a licence immediately.	Section 83(1)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to give an information notice and show cause notice, as required, before suspending a licence pursuant to section 83(1).	Section 83(2)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power, as the second local government, to take the same action as the first local government (except the power to cancel, suspend impose conditions or other similar action in relation to the licence).	Section 90(1)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as the second local government, to advise the first local government of the thing done or omitted to be done by a licensee of a mobile food business.	Section 91(2)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as the first local government, to take action, in relation to a thing done or omitted to be done by the licensee in the second local government area.	Section 92(2)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to consider and grant, or refuse to grant, an application for a replacement licence.	Section 97	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to consider an application and to accredit, or refuse to accredit, the food safety program.	Section 103(1)	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to obtain and consider the written advice of an auditor about whether or not the food safety program complies with the criteria in section 104.	Section 103(2)	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	Section 105(1)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power to give an information notice to the applicant where the application is refused under section 107.	Section 107(4)	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power to decide that more time is needed to make a decision about the application.	Section 108(1)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power to agree with the applicant, at any time prior to the final consideration day, about the day upon which the application must be decided.	Section 108(3)	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, after accrediting an applicant's food safety program, to decide how often the program must have compliance audits.	Section 109(2)	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power to determine changes to the frequency of compliance audits for a food safety program accredited by Council.	Section 110	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power to consider an application and approve, or refuse to approve, the amendment of an accredited food safety program.	Section 112(4)	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	Section 113(1)	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, by notice, to direct the holder of a Council accredited food safety program to amend the program.	Section 114	12-Dec-2017 Item F2	



Food Act 2006					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
45.	Chief Executive Officer	Power to give the holder of a food safety program a show cause notice, and to decide the term of the show cause period.	Section 118	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power to consider representations about a show cause notice.	Section 119	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power, after considering written representations by the holder of the accredited food safety program, to take no further action.	Section 120	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power to cancel the accreditation of a food safety program.	Section 121 (2)	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power to conduct a nonconformance audit of a food safety program.	Section 160(2)	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power to approve an improvement notice where remedying the contravention would be likely to stop the food business from operating.	Section 210(2)	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power, as the 'reviewer', to review an original decision under Chapter 3 or Chapter 4 of the <i>Food Act 2006</i> .	Section 237	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as reviewer, to, at any time, extend the time to apply for a review.	Section 238(2)	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as reviewer, to, after reviewing the original decision, make a further decision to: (a) confirm the original decision; or (b) amend the original decision; or (c) substitute another decision for the original decision.	Section 239	12-Dec-2017 Item F2	

Food Production (Safety) Act 2000					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to approve the appointment of an employee of Council as an authorised officer by Safe Food Production (QLD).	Section 83	12-Dec-2017 Item F2	

Heavy Vehicle (Mass, Dimension and Loading) National Regulation					
Note: This register covers powers of Council as a road manager only and does not include powers of Council as a driver or operator of a heavy vehicle					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a road manager, to consent to the making of an HML declaration.	Sections 13(1)(b) and 14	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a relevant road manager for an HML declaration, to consent to the making of the declaration subject to the condition that stated intelligent access conditions are imposed on the use of a stated type of HML heavy vehicle under the higher mass limits in an area or on a route to which the declaration applies.	Section 14(3)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a relevant road manager for an HML declaration, to give written reasons for a decision made under subsection 14(3) to the Regulator.	Section 14(4)	12-Dec-2017 Item F2	

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

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

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
4.	Chief Executive Officer	Power, as a relevant road manager for an HML declaration in the circumstances set out in subsection 18(1), to ask the Regulator to do one or more of the things listed in subsection 18(2).	Section 18	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a road manager, to consent to the granting of an HML permit.	Sections 22(1)(b) and 23	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a road manager, to consent to the granting of an HML permit subject to conditions.	Section 24(1)(a)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a road manager, to consent to amendment of an HML permit.	Section 29(4)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a road manager for a HML permit, to request the regulator to amend or cancel the permit.	Section 31(2)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a road manager, to consent to a declaration of the regulator pursuant to section 40.	Section 41(1)	12-Dec-2017 Item F2	

Heavy Vehicle National Law (Qld)

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

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a road manager, to consent to the grant of a mass or dimension authority.	Section 156(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a road manager, to ask the regulator for a longer period of time under section 156(1)(b).	Section 156(2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a road manager, to give the regulator a written statement that explains the road manager's decision and complies with section 172.	Section 156(6)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a road manager, to notify the regulator:- (a) that a route assessment is required for the road manager deciding whether to give or not to give the consent; (b) the fee payable (if any) for the route assessment under a law of the jurisdiction in which the road is situated.	Section 159(2)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a road manager, to grant a mass or dimension authority subject to conditions.	Sections 160(1), 161(1) and 162(1)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a road manager for a mass or dimension authority, to give the regulator a written statement that explains the road manager's decision and complies with section 172.	Sections 160(2), 161(2) and 162(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a road manager for a mass or dimension authority, to give the regulator a notice objecting to the application of section 167 to the proposed replacement authority.	Section 167(2)(b)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	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).	Section 167(2)(b)(ii)	12-Dec-2017 Item F2	

**Heavy Vehicle National Law (Qld)**

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

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
9.	Chief Executive Officer	Power, as a road manager for a mass or dimension authority, to give consent to the grant of a mass or dimension authority for a trial period of no more than 3 months.	Section 169(1)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a road manager for a mass or dimension authority, to object to the renewal of the authority for a further trial period.	Section 170(3)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	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.	Section 174(2)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as a road manager for a mass or dimension authority granted by permit, to request the regulator to amend or cancel the authority.	Section 178(2)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as a road manager, to apply to the Court for a compensation order.	Section 611(2)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as a public authority, to sign a certificate.	Section 612(2)(c)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as a road manager, to agree to a longer prescribed period for a review of a reviewable decision.	Section 645(6)	12-Dec-2017 Item F2	

Heavy Vehicle National Law Regulation 2014

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

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a road manager, to set the fee payable for a route assessment.	Section 4(2)	12-Dec-2017 Item F2	

Housing Act 2003

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to enter a funding agreement with the Chief Executive	Section 25(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a funded provider, to respond to a show cause notice issued by the Chief Executive	Section 26(2)(b)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a funded provider, to comply with the prescribed requirements.	Section 34	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a funded provider who has received a compliance notice, to comply with the notice.	Section 35(5)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as an applicant that is a local government, to apply for registration on the State Register, pay the prescribed fee and comply with any requirement for information or documents issued by the Registrar.	Section 37B	12-Dec-2017 Item F2	



Organisational Services
Organisational Services Administration

Housing Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
6.	Chief Executive Officer	Power, as a registered provider, to comply with each condition applying to the registration and each applicable code provision.	Section 37D	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a State provider, to apply to the Registrar for the cancellation of the provider's registration.	Section 37G(1)(a)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a State provider, in circumstances mentioned in subsection (1), to ensure that on or before the relevant day, each State community housing asset is transferred in accordance with subsection (3) and any conditions imposed by the chief executive.	Sections 37H(3) and (4)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a registered provider, to comply with the binding instructions stated in a notice of non-compliance.	Section 38B(3)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a registered provider who has received a notice of intent to cancel registration, to respond to the notice.	Section 38C(3)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a registered provider, to agree with a statutory manager about the provider performing a function exercising a power.	Section 38D(7)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as a registered provider, to pay the expenses of a statutory manager.	Section 38E(1)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to consent to the release of information concerning Council by the registrar.	Section 38H(b)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as a funded ancillary provider, to pay the amount of an administration cost.	Section 59	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to claim compensation from the Chief Executive where Council has incurred loss or damage because of the exercise or purported exercise of a power under Part 6 of the Act.	Section 62(1)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as an entity entitled to be given a notice under section 64, to apply to a Chief Executive for a review of the decision.	Section 65	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to comply with a notice received from the Chief Executive of an authorised officer requiring Council to give information or documents.	Section 81(5)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, as a registered provider, to ensure that a suitably qualified officer attends a meeting with the Registrar.	Section 81A(1)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, where Council incurs loss or damage because of the exercise or purported exercise of a power under Part 7, to claim compensation from the Chief Executive.	Section 83	12-Dec-2017 Item F2	

Housing Regulation 2015					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a funded provider, to use the funding or receipts in a way that complies with the funding agreement.	Section 7	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a funded provider, to repay the amount to the Chief Executive.	Section 8(3)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a funded provider, to pay the amount stated in the payment notice to the Chief Executive.	Section 9(4)	12-Dec-2017 Item F2	

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**Housing Regulation 2015**

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
4.	Chief Executive Officer	Power, as a funded provider that receives funding for an ancillary housing service, to prepare annual financial statements and provide copies of the statements to the Chief Executive.	Section 11	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a funded provider, to keep and implement an asset management plan for each funded property and to provide a copy of the asset management plan to the Chief Executive.	Section 12	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a funded provider that receives funding to provide a social housing service, to implement:- (a) the Social Housing Eligibility Criteria; and (b) the Allocations Policy for Funded Social Housing Providers.	Section 14(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a funded provider, to accept an application from a person for a social housing service and to give the application to the Chief Executive or an approved funded provider.	Section 15(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a funded provider that receives funding to provide an ancillary housing service, to keep an illegibility policy and implement the illegibility policy consistently and fairly.	Section 16(2)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a funded provider that receives funding to provide housing for residential use, to keep a rent policy and implement the rent policy consistently and fairly	Section 17(2)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a funded provider who receives funding to provide housing for residential use, where a tenant pays rent for the housing, to keep a record of rent calculations for the tenant stating those matters listed in subsection (4).	Section 17(4)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a funded provider that receives funding to provide a social housing service, to give the Chief Executive information about each funded property for the service and where necessary, to notify details of changes of the information.	Section 18	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as a funded provider that receives funding to provide a housing service, to comply with a notice from the Chief Executive for information.	Section 19(3)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, where Council has applied to the Chief Executive to lodge a document, to comply with a requisition notice issued by the Chief Executive.	Section 26	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as an accommodation provider, to consult with the Chief Executive about the most appropriate way of transferring or otherwise disposing of the relevant asset.	Section 37(2)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as an accommodation provider, to comply with a condition imposed by the Chief Executive.	Section 37(6)	12-Dec-2017 Item F2	

Information Privacy Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
20.	Chief Executive Officer	Power, as agency, to transfer an individual's personal information to an entity outside Australia under certain circumstances.	Section 33	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as agency, to enter into a service arrangement with an entity other than an agency to provide services.	Section 34	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power, as agency, to give access to a document created after the application for access is received.	Section 47	12-Dec-2017 Item F2	


Information Privacy Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
23.	Chief Executive Officer	Power, as agency, to search for a document on a backup system if it considers the search is appropriate.	Section 49	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as agency, to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access or amendment application.	Section 50(5)(b)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as agency, to contact the person and tell them how the application does not comply with a relevant application requirement.	Section 53(2)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as agency, to refuse to deal with an access or amendment application if: (a) the application does not comply with all relevant application requirements; and (b) the applicant has been afforded a reasonable opportunity to consult with a view to making the application comply.	Section 53(3)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, as agency, to give prescribed written notice of the decision.	Section 53(6)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	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: (i) can not be made under the <i>Information Privacy Act</i> ; and (ii) should be made under the <i>Right to Information Act</i> ; and (iii) may be changed so it can be made under the <i>Information Privacy Act</i> , or may be dealt with under the <i>Right to Information Act</i> by paying the application fee.	Section 54	12-Dec-2017 Item F2	
29.	Chief Executive Officer	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>)	Section 55(1)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	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.	Section 55(3)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	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: (a) the document is a document for Chapter 3 of the <i>Information Privacy Act</i> (document of an agency or a Minister under the <i>Right to Information Act</i>); or (b) the information is exempt information or contrary to public interest information.	Section 56(1)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	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.	Section 57(2)	12-Dec-2017 Item F2	


Information Privacy Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
33.	Chief Executive Officer	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>).	Section 59	12-Dec-2017 Item F2	
34.	Chief Executive Officer	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.	Section 60(1)	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as agency, to give the applicant: (a) written notice of the refusal to deal with an access or amendment application under section 60(1) <i>Information Privacy Act</i> ; and (b) a reasonable opportunity to consult.	Section 61(1)	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, as agency, to refuse to deal with a later access application for one or more of the same documents sought under the first access application by the same applicant, to the extent it is for access to documents in the first application, if the later application does not disclose any reasonable basis for seeking such access.	Section 62(3)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as agency, to refuse to deal with a later amendment application for one or more of the same documents sought to be amended under the first access application by the same applicant, to the extent it is for amendment to documents in the first application, if the later application does not disclose any reasonable basis for seeking such access.	Section 63(3)	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as agency, after considering an access application, to decide whether to give access to the document and whether any access charge must be paid by the applicant.	Section 65	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as agency, to refuse access to a document in the same way and to the extent access can be refused under section 47 <i>Right to Information Act</i> , were access to the document applied for under that Act.	Section 67(1)	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as agency, to give a prescribed written notice to an applicant, for an access application, of: (a) the decision on the application, including a decision to refuse to deal with the application; and (b) the fact that the document is not a document in the possession, or under the control, of Council, if this is the case.	Section 68(1)	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, as agency, to not include any exempt information or contrary to public interest information in the notice given under section 68(1) <i>Information Privacy Act</i> .	Section 68(3)	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as agency, to give prescribed written notice to an applicant that does not include details required to be in a prescribed written notice under section 199(a) and (b) <i>Information Privacy Act</i> , but states that Council neither confirms nor denies the existence of the document, but assuming the document does exist, it would be a document to which access would be refused under section 67 <i>Information Privacy Act</i> to the extent it comprised prescribed information.	Section 69(2)	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, as agency, after considering an amendment application, to decide whether amendment of the document is permitted.	Section 70	12-Dec-2017 Item F2	


Information Privacy Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
44.	Chief Executive Officer	Power, as agency, to give an applicant for an amendment application a prescribed written notice of the decision on the application.	Section 73(1)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power, as agency, to not include reasons for a decision to permit amendment of the document in the notice given under section 73(1) <i>Information Privacy Act</i> .	Section 73(2)	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power, as agency, to not include any exempt information or contrary to public interest information in the notice given under section 73(1) <i>Information Privacy Act</i> .	Section 73(3)	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power, as agency, if a decision to amend the document is made, to make the amendment by altering the personal information or adding an appropriate notation to the personal information.	Section 74	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power, as agency, to waive an access charge.	Sections 80, 81 and 82	12-Dec-2017 Item F2	
49.	Chief Executive Officer	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.	Section 83(4)	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power, as agency, to extend the period in which an applicant may access a document.	Section 84(2)	12-Dec-2017 Item F2	
51.	Chief Executive Officer	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).	Section 87	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as agency, to delete irrelevant information from a copy of a requested document when giving access to that requested document, if the agency considers it is reasonably practicable to give access to the copy.	Section 88	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as agency, to give access to a copy of a document from which the exempt information has been deleted.	Section 89	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power, as agency, to give access to a copy of a document from which the contrary to public interest information has been deleted.	Section 90	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power, as agency, to direct access to the document be given instead to an appropriately qualified healthcare professional nominated by the applicant and approved by the agency, where access was refused under section 47(3)(d) of the <i>Right to Information Act</i> , as applied under the <i>Information Privacy Act</i> .	Section 92(2)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power, as agency, to conduct a particular further search or to conduct further searches directed by the information commissioner.	Section 115	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power, as agency, to apply to the information commissioner for declaration that a person is a vexatious applicant.	Section 127	12-Dec-2017 Item F2	


Information Privacy Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
58.	Chief Executive Officer	Power, as agency, to apply to the information commissioner for approval to waive or modify the obligation to comply with the privacy principles.	Section 157	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power, as agency, to ask the information commissioner to extend the time within which to take action stated in a compliance notice.	Section 159	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power, as agency, to apply to QCAT, as provided under the QCAT Act, for review of the information commissioner's decision to give a compliance notice.	Section 161(1)	12-Dec-2017 Item F2	

Land Act 1994

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a person who may take water under the Water Act 2000, section 96, to exercise a right of access, a right of grazing and a right to bring action for trespass over the adjacent land.	Section 13A(4)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a person an adjacent owner for the land, to consent to the dedication of non-tidal watercourse land or non-tidal lake land as a reserve.	Section 13AC(1)(a)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as owner of land having a non-tidal boundary (watercourse) (the relevant land), to apply to the chief executive (water) to have land adjoining the relevant land (the watercourse land) declared to be former watercourse land.	Section 13B(1)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to give notice of the person's intention to make an application pursuant to section 13B to the owners of any land that adjoins the watercourse land	Section 13B(2)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as an applicant under section 13B(1), to appeal against the refusal of the application.	Section 13B(6)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as registered owner of land, to enter an agreement with the Governor in Council to exchange all or part of the freehold land for the grant of unallocated State land.	Section 18(1)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as lessee of a freeholding lease, to enter an agreement with the Governor in Council to exchange all or part of the freeholding lease for a freeholding lease over unallocated state land.	Section 18(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as lessee of a term lease (other than a State lease or a perpetual lease), to enter an agreement with the Minister to exchange all or part of the term lease for a lease of unallocated State land for a term of years or in perpetuity.	Section 18(3)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a person seeking to have a plan of subdivision registered in relation to the land contained in a deed of grant, deed of grant in trust or lease, to apply to the Minister for the allocation of a floating reservation to some or all of the lots created by the plan.	Section 23A(1)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as an applicant under section 23A(1), to appeal against the Minister's decision.	Section 23A(6)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as registered owner of the deed of grant or lessee of a freeholding lease of a reservation for a public purpose to be sold under section 24(1), to apply to the Governor in Council to buy the land.	Section 24(3)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	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> .	Section 25(2)	12-Dec-2017 Item F2	



Land Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
13.	Chief Executive Officer	Power, as trustee, lessee or registered owner, to agree to the Minister's proposal to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Section 26(2)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as lessee, registered owner or trustee, to appeal the Minister's decision to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Section 26(4)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as lessee or registered owner, to buy a forest entitlement area under sections 24 and 25.	Section 26B(2)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as lessee or registered owner, to appeal against the value decided by the Minister for commercial timber on a forest entitlement area that the local government is buying.	Section 26B(8)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, to apply to the Minister for the dedication of a reserve.	Section 31C(1)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to give notice of the intention to apply for the dedication of a reserve.	Sections 31C(2) and 31C(3)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as trustee, to apply to the Minister to change the boundary of a reserve or the purpose of a reserve.	Section 31D(1)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to give notice of the intention to change the boundary of a reserve or the purpose of a reserve.	Sections 31D(2) and 31D(3)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.	Section 32	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to apply to the Minister to revoke the dedication of all or part of a reserve.	Section 34(1)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to give notice of the intention to apply to the Minister to revoke the dedication of all or part of a reserve.	Sections 34(2) and 34(3)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as owner of improvements on a reserve the dedication to which has been revoked, to apply to remove improvements on the reserve.	Section 34H(1)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	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.	Section 34H(2)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as trustee of an operational reserve, to apply for a deed of grant over the reserve.	Section 34I(1)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, as trustee of an operational reserve, to give notice of the intention to apply for a deed of grant over the reserve.	Sections 34I(3) and 34I(4)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.	Section 38A(1)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as trustee, to apply for the cancellation of a deed of grant in trust under section 38.	Section 38A(2)	12-Dec-2017 Item F2	



Organisational Services
Organisational Services Administration

Land Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
30.	Chief Executive Officer	Power, as trustee, to give notice of the intention to apply under section 38A.	Sections 38A(3) and 38A(4)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	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.	Section 38G(1)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as owner of improvements on a deed of grant in trust that has been cancelled, to remove the improvements with the Minister's approval.	Section 38G(2)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to accept appointment as trustee.	Section 44	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power, as trustee, to advise the chief executive of change in details.	Section 45	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as trustee, to comply with the administrative, accounting function and other directions provided by Minister.	Sections 46, 47, 48 and 49	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to take all necessary action for the maintenance and management of trust land.	Sections 52(1)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as trustee, to surrender all or part of a deed of grant in trust on terms agreed with the Minister and with the Minister's written approval.	Section 55(1)	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as trustee, to apply to surrender all or part of a deed of grant in trust.	Section 55A(1)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as trustee, to give notice of the intention to apply to surrender all or part of a deed of grant in trust.	Sections 55A(2) and 55A(3)	12-Dec-2017 Item F2	
40.	Chief Executive Officer	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.	Section 55H(1)	12-Dec-2017 Item F2	
41.	Chief Executive Officer	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.	Section 55H(2)	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as trustee, to lease all or part of the trust land if the trustee first obtains the Minister's written "in principle" approval to the lease.	Section 57(1)	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power as trustee to, without the Minister's approval, grant a trustee lease (construction) or a trustee lease (State or statutory body) over all or part of the trust land.	Section 57(3)	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power to seek the Minister's approval to amend a trustee lease.	Section 57A(1)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	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.	Section 58(1)	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power to appeal against the Minister's decision to refuse to allow a transfer, mortgage or sublease of a trustee lease.	Section 58(7)	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power, as trustee, to issue a trustee permit to use all or part of the trust land.	Section 60(1)	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power to lodge a trustee permit in the appropriate register.	Section 60(3)	12-Dec-2017 Item F2	

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Land Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
49.	Chief Executive Officer	Power to seek consent to group trust land reserved for similar purposes together.	Section 62	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power to seek the Minister's approval for rent from a trustee lease or trustee permit to be applied to costs other than on maintenance and enhancement of the trust land.	Section 63(3)	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power, as a relevant person, to apply for approval to lease, sublease or sub-sublease trust land even if an authority is in force.	Section 64(4)	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as trustee, to cancel a trustee lease or trustee permit if the lessee or permittee does not comply with the conditions of the lease or permit.	Section 65(1)	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power to allow the trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.	Section 66(1)	12-Dec-2017 Item F2	
54.	Chief Executive Officer	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).	Section 67(2)	12-Dec-2017 Item F2	
55.	Chief Executive Officer	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).	Section 67(3)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power, as trustee of trust land for cemetery purposes, to repair or remove structures, monuments or tombstones from a cemetery on trust land.	Section 80(1)	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power to ask the Minister that a cemetery on trust land be closed to further burials.	Section 81(1)	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power to ask the Minister to re-open a cemetery previously closed for further burials.	Section 81(4)	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power to agree to take on the trusteeship of a cemetery from trustees of the cemetery, and to agree on the terms of the transfer.	Section 82	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power to seek approval from the Minister to exhume a body from a cemetery, in the absence of any local law covering the matter.	Section 83(1)	12-Dec-2017 Item F2	
61.	Chief Executive Officer	Power to apply to the Minister seeking approval to surrender land granted for an estate in fee simple for some community, public or similar purpose, the land to the State, and for the issue of a deed of grant in trust under this Act for a community or public purpose.	Section 84(1)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power to apply for land to be dedicated as a road for public use.	Section 94(2)	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power to apply to the Minister to permanently close a road.	Section 99(1)	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power to apply to the Minister to temporarily close a road.	Section 99(3)	12-Dec-2017 Item F2	
65.	Chief Executive Officer	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.	Section 99(4)	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power to object to a road closure application in response to a public notice.	Section 100	12-Dec-2017 Item F2	



Land Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
67.	Chief Executive Officer	Power, as a road licensee, to surrender all or part of a road licence.	Section 105(3)	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power, as registered owner of land, to apply for the simultaneous opening and closing of roads subject to the conditions in section 109A(1)(a), (b) and (c).	Section 109A(1)	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power, as registered owner, to ask the Minister to include certain matters in the deed of grant in trust issued under section 358.	Section 109A(2)	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power, as registered owner, to appeal against any conditions the Minister imposes under section 420.	Section 109A(3)	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power, as trustee of lessee, to apply for the simultaneous opening or closing of roads subject to section 109B(1)(a), (b) and (c).	Section 109B(1)	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power to ask the Minister to include certain matters in the deed of grant in trust issued under section 358 or dedicated as a reserve under section 31A (whichever is applicable).	Section 109B(2)	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power, as lessee, to ask that the land in the road being closed be amalgamated in accordance with section 109B(3)(a) or (b) (whichever is applicable).	Section 109B(3)	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420.	Section 109B(4)	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power to apply for an interest in land that may be granted without competition.	Section 120A(1)	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.	Section 154	12-Dec-2017 Item F2	
77.	Chief Executive Officer	Power, as lessee, to apply for extension of a term lease (40 years).	Section 155A(2)	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power, as lessee, to apply for extension of a term lease (50 years).	Section 155B(2)	12-Dec-2017 Item F2	
79.	Chief Executive Officer	Power, as lessee, to apply for extension of a term lease (75 years).	Section 155BA(2)	12-Dec-2017 Item F2	
80.	Chief Executive Officer	Power, as lessee, to apply for an offer of a new lease (a renewal application).	Section 158	12-Dec-2017 Item F2	
81.	Chief Executive Officer	Power, as an applicant for a renewal application, to appeal against the chief executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Section 160(3)	12-Dec-2017 Item F2	
82.	Chief Executive Officer	Power, as a lessee under a rolling term lease, to apply to the Minister for an extension of the term.	Section 164C(1)	12-Dec-2017 Item F2	
83.	Chief Executive Officer	Power, as a lessee under a rolling term lease, to appeal to the Minister's refusal of an extension of the term.	Section 164C(7)	12-Dec-2017 Item F2	
84.	Chief Executive Officer	Power, as lessee, to apply to convert a perpetual lease to freehold land and a term lease to a perpetual lease or to freehold land.	Section 166(1)	12-Dec-2017 Item F2	



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Land Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
85.	Chief Executive Officer	Power, as applicant for a conversion application, to appeal against the chief executive's decision to refuse the conversion application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Section 168(5)	12-Dec-2017 Item F2	
86.	Chief Executive Officer	Power to appeal against the chief executive's decision on the purchase price for the conversion of a lease to a deed of grant.	Section 170(2)	12-Dec-2017 Item F2	
87.	Chief Executive Officer	Power, as lessee, to apply for approval to subdivide the lease.	Section 176(1)	12-Dec-2017 Item F2	
88.	Chief Executive Officer	Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.	Section 176E	12-Dec-2017 Item F2	
89.	Chief Executive Officer	Power, as lessee of 2 or more leases, to apply to the Minister for approval to amalgamate the leases.	Section 176K(1)	12-Dec-2017 Item F2	
90.	Chief Executive Officer	Power, as a local government, to prepare a statement of Council's views on the amalgamation of 2 or more leases.	Section 176K(3)(b)	12-Dec-2017 Item F2	
91.	Chief Executive Officer	Power to give the chief executive an opinion in respect of a proposed road closure.	Section 176N	12-Dec-2017 Item F2	
92.	Chief Executive Officer	Power to consult with the chief executive regarding the issue of a permit to occupy unallocated State land, a road or a reserve.	Section 177	12-Dec-2017 Item F2	
93.	Chief Executive Officer	Power to apply for a permit to occupy unallocated State land, a reserve or a road.	Section 177A(1)	12-Dec-2017 Item F2	
94.	Chief Executive Officer	Power to give notice of an intention to apply for a permit to occupy unallocated State land, a reserve or a road.	Section 177A(2)	12-Dec-2017 Item F2	
95.	Chief Executive Officer	Power, as an applicant for a permit, to enter an agreement with an adjoining owner about the maintenance of a fence.	Section 179	12-Dec-2017 Item F2	
96.	Chief Executive Officer	Power, as a permittee, to surrender a permit to occupy on terms agreed to between the chief executive and the permittee and with the chief executive's written approval.	Section 180(2)	12-Dec-2017 Item F2	
97.	Chief Executive Officer	Power, as a relevant entity, to apply to surrender or cancel a permit to occupy.	Section 180A	12-Dec-2017 Item F2	
98.	Chief Executive Officer	Power, as a permittee for a permit that is cancelled or surrendered, to apply to remove the permittee's improvements on the permit land.	Section 180H(1)	12-Dec-2017 Item F2	
99.	Chief Executive Officer	Power, as a permittee, to remove improvements with the chief executive's written approval.	Section 180H(2)	12-Dec-2017 Item F2	
100.	Chief Executive Officer	Power, as lessee, licensee or permittee, to give the Minister the information asked for about the lease, licence or permit.	Section 201	12-Dec-2017 Item F2	
101.	Chief Executive Officer	Power, as lessee, licensee or permittee, to apply to change an imposed condition of the lease, licence or permit.	Section 210	12-Dec-2017 Item F2	
102.	Chief Executive Officer	Power to appeal against the Minister's decision to change an imposed condition about the protection and sustainability of the lease land.	Section 212(3)	12-Dec-2017 Item F2	
103.	Chief Executive Officer	Power to make submissions to the Minister in response to a warning notice.	Section 214A	12-Dec-2017 Item F2	

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Land Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
104.	Chief Executive Officer	Power, as a lessee or licensee to whom a remedial action notice has been given, to appeal against the decision to give the notice.	Section 214B	12-Dec-2017 Item F2	
105.	Chief Executive Officer	Power, as a lessee or licensee to whom a remedial action notice has been given, to comply with the notice.	Section 214D	12-Dec-2017 Item F2	
106.	Chief Executive Officer	Power, as lessee, to appeal against the Minister's decision to reduce the term of, or impose additional conditions on, a lease.	Section 214F(3)	12-Dec-2017 Item F2	
107.	Chief Executive Officer	Power, as a person who has a lawful interest in the matters listed at section 219(3)(a), (b) and (c), to claim compensation as prescribed by the <i>Acquisition of Land Act 1967</i> .	Section 219(3)	12-Dec-2017 Item F2	
108.	Chief Executive Officer	Power, as a compensation claimant, to appeal the Minister's decision about the amount of loss, costs and expenses the claimant is entitled to claim.	Section 222(6)	12-Dec-2017 Item F2	
109.	Chief Executive Officer	Power, as owner of lawful improvements on a lease or part of lease resumed under the division, to claim compensation.	Section 225(2)	12-Dec-2017 Item F2	
110.	Chief Executive Officer	Power, as lessee, to appeal against the Minister's decision on compensation payable.	Section 226(5)	12-Dec-2017 Item F2	
111.	Chief Executive Officer	Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.	Section 230(2)	12-Dec-2017 Item F2	
112.	Chief Executive Officer	Power, as owner, to appeal against the Minister's decision on compensation payable.	Section 232(5)	12-Dec-2017 Item F2	
113.	Chief Executive Officer	Power, as a relevant local government of a term or a perpetual lease, to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease.	Section 239(4)	12-Dec-2017 Item F2	
114.	Chief Executive Officer	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.	Section 240E(1)	12-Dec-2017 Item F2	
115.	Chief Executive Officer	Power, as a local government, to apply to the Minister to sell a lease.	Section 240G	12-Dec-2017 Item F2	
116.	Chief Executive Officer	Power, as lessee of a forfeited lease, to apply to remove the lessee's improvements on the lease.	Section 243(1A)	12-Dec-2017 Item F2	
117.	Chief Executive Officer	Power, as lessee of a forfeited lease, to remove the improvements with the written approval of the Minister.	Section 243(1)	12-Dec-2017 Item F2	
118.	Chief Executive Officer	Power, as a transferor or a person creating the interest, or the transferee or the person in whose favour the interest is to be created, to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease.	Section 288(1)	12-Dec-2017 Item F2	
119.	Chief Executive Officer	Power, as a transferee or the person in whose favour the interest is to be created, to authorise a legal practitioner to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease on Council's behalf.	Section 288(1)(b)	12-Dec-2017 Item F2	
120.	Chief Executive Officer	Power to lodge a standard terms document and amend the standard terms document by lodging a further document.	Sections 318 & 319	12-Dec-2017 Item F2	
121.	Chief Executive Officer	Power, as a lessee, licensee or the holder of a sublease, to apply to transfer a lease, sublease or licence under the Act with the approval of the Minister.	Section 322(3)	12-Dec-2017 Item F2	

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122.	Chief Executive Officer	Power, as a lessee, licensee or the holder of a sublease, to apply to the Minister to extend the time mentioned in subsection 322(4).	Section 322(5)	12-Dec-2017 Item F2	
123.	Chief Executive Officer	Power, as a lessee, licensee or the holder of a sublease, to appeal a decision of the Minister not to grant the transfer of a lease, sublease or licence.	Section 322(8)	12-Dec-2017 Item F2	
124.	Chief Executive Officer	Power to surrender freehold land on terms agreed between the Minister and the registered owner and with the Minister's written approval.	Section 327	12-Dec-2017 Item F2	
125.	Chief Executive Officer	Power 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.	Section 327A	12-Dec-2017 Item F2	
126.	Chief Executive Officer	Power, as a registered owner, to apply to the Minister to surrender freehold land.	Section 327B	12-Dec-2017 Item F2	
127.	Chief Executive Officer	Power, as a lessee, to apply to the Minister to surrender all or part of a lease.	Section 327C(1)	12-Dec-2017 Item F2	
128.	Chief Executive Officer	Power, as a lessee, to give notice of an intention to apply to the Minister to surrender all or part of a lease.	Sections 327C(2) and 327C(3)	12-Dec-2017 Item F2	
129.	Chief Executive Officer	Power, as owner of improvements on a lease that has been surrendered, to apply to remove the owner's improvements on the lease.	Section 327(1)	12-Dec-2017 Item F2	
130.	Chief Executive Officer	Power, as owner of improvements on a lease that has been surrendered, to remove the owner's improvements with the Minister's written approval.	Section 327(2)	12-Dec-2017 Item F2	
131.	Chief Executive Officer	Power, as lessee, to give notice of the intention to surrender a lease.	Section 329(1)	12-Dec-2017 Item F2	
132.	Chief Executive Officer	Power to seek the Minister's approval to sublease a lease issued under the Act.	Sections 332(1) and 332(2)	12-Dec-2017 Item F2	
133.	Chief Executive Officer	Power to appeal against the Minister's refusal to approve the sublease of a lease issued under the Act.	Section 332(6)	12-Dec-2017 Item F2	
134.	Chief Executive Officer	Power to seek the Minister's approval to amend a sublease.	Section 336	12-Dec-2017 Item F2	
135.	Chief Executive Officer	Power, as party to a sublease, to ask the chief executive to refer the dispute to mediation.	Section 339B	12-Dec-2017 Item F2	
136.	Chief Executive Officer	Power, as the registered owner or trustee, to surrender land if the description of the land is no longer correct, because of the reasons listed in section 358(1)(a) to (f).	Section 358(1)	12-Dec-2017 Item F2	
137.	Chief Executive Officer	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.	Section 358(2)	12-Dec-2017 Item F2	
138.	Chief Executive Officer	Power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).	Section 360C(1)	12-Dec-2017 Item F2	
139.	Chief Executive Officer	Power 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).	Section 360C(2)	12-Dec-2017 Item F2	

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Land Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
140.	Chief Executive Officer	Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B(1)(a), (b), (c) or (d).	Section 360C(3)	12-Dec-2017 Item F2	
141.	Chief Executive Officer	Power, as a lessee or a person acting for a lessee, to give notice of an intention to make an application under section 360C to amend the description of a lease.	Section 360D	12-Dec-2017 Item F2	
142.	Chief Executive Officer	Power to sign the plan of survey for an easement where Council is the public utility provider or the owner of the land to be burdened.	Section 363(1)(b)	12-Dec-2017 Item F2	
143.	Chief Executive Officer	Power to sign a document surrendering an easement in favour of Council, where Council is one or more of the entities listed in subsections 371(2)(a) to (c).	Section 371(2)	12-Dec-2017 Item F2	
144.	Chief Executive Officer	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the deed of grant in trust, lease or licence ends or the dedication of the reserve is revoked.	Section 372(2)	12-Dec-2017 Item F2	
145.	Chief Executive Officer	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the freehold land is surrendered.	Section 372(5)	12-Dec-2017 Item F2	
146.	Chief Executive Officer	Power, as the trustee, lessee or sublessee of nonfreehold land the subject of a trust, lease or sublease, to consent to the creation of a covenant on the land.	Section 373A	12-Dec-2017 Item F2	
147.	Chief Executive Officer	Power, as trustee of trust land, or as a lessee, licensee or permittee to start a proceeding in the Magistrates Court for unlawful occupation or trespass of the trust land, or a lease, licence or permit.	Section 415	12-Dec-2017 Item F2	
148.	Chief Executive Officer	Power to make a submission in response to a notice received under the Act about a proposed application.	Section 420CB	12-Dec-2017 Item F2	
149.	Chief Executive Officer	Power to respond to a request from the Chief Executive for information listed in sections 420E(1)(a) and 420E(1)(b).	Section 420E	12-Dec-2017 Item F2	
150.	Chief Executive Officer	Power to apply to the Minister for a review of a decision.	Section 423	12-Dec-2017 Item F2	
151.	Chief Executive Officer	Power to appeal to the Court against a decision.	Section 427	12-Dec-2017 Item F2	
152.	Chief Executive Officer	Power to make a local law stating use conditions that apply to a declared beach area.	Section 431T	12-Dec-2017 Item F2	
153.	Chief Executive Officer	Power to consult with the Minister about whether Council wishes to be the manager of a declared beach area.	Section 431U(2)	12-Dec-2017 Item F2	
154.	Chief Executive Officer	Power to consult with the public and the owner of the lot about the use conditions to be contained in a local law applying to a declared beach area.	Section 431U(3)	12-Dec-2017 Item F2	
155.	Chief Executive Officer	Power, as licensee, to surrender all or part of an occupation licence, on terms agreed to between the Minister and the licensee and with the Minister's written approval.	Section 481A	12-Dec-2017 Item F2	
156.	Chief Executive Officer	Power, as a public utility provider or a licensee to apply to cancel or surrender all or part of an occupation licence.	Section 481B(1) and 481B(2)	12-Dec-2017 Item F2	
157.	Chief Executive Officer	Power, to give notice of an intention to, as a public utility provider or a licensee, apply to cancel or surrender all or part of an occupation licence.	Section 481B(4) and 481B(5)	12-Dec-2017 Item F2	



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Land Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
158.	Chief Executive Officer	Power, as a licensee of an occupation licence that is cancelled or surrendered absolutely, to apply to remove the licensee's improvements on the licence.	Section 481J(1)	12-Dec-2017 Item F2	
159.	Chief Executive Officer	Power, as a licensee, to remove the licensee's improvements on the licence with the written approval of the Minister.	Section 481J(2)	12-Dec-2017 Item F2	
160.	Chief Executive Officer	Power, as licensee of an occupation licence, to carry out improvements or development work on the licence only with the Minister's written approval.	Section 482	12-Dec-2017 Item F2	
161.	Chief Executive Officer	Power, as a local government, to apply to exchange the conditional deed for a reserve or deed of grant in trust with the local government as trustee or a lease granted under the <i>Land Act 1994</i> .	Section 492(1)	12-Dec-2017 Item F2	
162.	Chief Executive Officer	Power to agree to an allocation or dedication of land from the State, where the land has become an asset of the State by virtue of section 231 (repealed) of the <i>Transport Infrastructure Act 1994</i> .	Section 505(2)	12-Dec-2017 Item F2	

Land Valuation Act 2010					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to consult with the valuer-general about a proposed decision not to make an annual valuation of land.	Section 74	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to give the valuer-general valuation-related documents, information about a sale or proposed sale of land for unpaid rates and information about all land Council acquires or disposes of.	Section 244	12-Dec-2017 Item F2	

Liquor Act 1992					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to apply, as provided under the QCAT Act, to the tribunal for a review of a decision of a commissioner.	Section 30	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to apply appeal a decision of the tribunal to the Court of Appeal.	Section 35	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to consent to the making of an application for an adult entertainment permit or to abstain from consenting to the application.	Section 105B	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to make comments in regard to the grant of an adult entertainment permit.	Section 107D(2)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to raise a matter and make comment to the chief executive, where Council is consulted in relation to an application for an extended hours permit.	Section 110(4)(a)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to: (a) comment on the reasonable requirements of the public in the locality; or (b) object in respect of the grant of a relevant application.	Section 117(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to comment about an application relating to a restricted area.	Section 117A	12-Dec-2017 Item F2	

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Liquor Act 1992					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
8.	Chief Executive Officer	Power to make a submission about an application which requires a notice to be published under section 118 and a community impact statement to be given under section 116.	Section 118A	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to make comment in regard to the grant of an application generally.	Section 121(1)(c)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to designate a "public place" as a "designated area", for the purposes of permitting the consumption of liquor, and power to set the period or times during which the designation will have effect.	Section 173C(1) and (2)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to advertise the designation made under section 173C(1), and power to erect signs advising of the designation, the period and times of the designation.	Section 173D(1) and (3)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to repeal or amend the designation under section 173C, and power to advertise the repeal or amendment; erect signs that the designation has been amended; or remove signs if the designation has been repealed	Section 173E (1) and (3)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to display a notice regarding a designation at or near each entrance to a place within a restricted area.	Section 173M(1)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to: (a) display a notice about the suspension of a restricted area designation on each of the section 173M notices displayed for the restricted area whilst the suspension is in force; and (b) notify the Queensland Police Service about the suspension.	Section 173N (3) and (4)	12-Dec-2017 Item F2	

Local Government Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to conduct a joint government activity.	Section 10	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to:- (a) review whether each of its divisions has a reasonable proportion of electors; and (b) give the electoral commissioner and the Minister written notice of the results of the review no later than 1 March in the year before the quadrennial elections.	Section 16	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to make submissions to the change commission in response to a request for submissions in relation to a proposed local government change.	Section 19	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to decide the local government's process for making a local law consistent with Chapter 3, Part 1 of the <i>Local Government Act 2009</i> .	Section 29	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to consult with relevant government entities about the overall State interest in a proposed local law.	Section 29A(3)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to conduct a public benefit assessment of a new significant business activity	Section 46(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to prepare a report on the public benefit assessment in accordance with section 46(5) of the <i>Local Government Act 2009</i> .	Section 46(5)	12-Dec-2017 Item F2	

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Local Government Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
8.	Chief Executive Officer	Power to apply a code of competitive conduct to a business activity.	Section 47	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to exercise control of all roads in the local government area including the ability to survey and resurvey roads, construct, maintain and improve roads, approve the naming and numbering of private roads, and name and number other roads.	Section 60	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to give the owner of land a notice of intention to acquire land.	Section 61	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to lodge the copy of a notice of intention to acquire land with the Registrar of Titles for registration on the instrument of title to the land.	Section 61(6)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to decide a claim for compensation for a notice of intention to acquire land.	Section 62	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to acquire land after service of notice of intention to acquire instead of paying compensation for injurious affection.	Section 64	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to assess compensation for acquisition of land.	Section 64	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to serve notice of decision not to proceed to acquire land the subject of a notice of intention to acquire.	Section 65(3)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to withdraw notice of intention to acquire land.	Section 65(4)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to lodge with Registrar of Titles for registration a notice of a decision not to proceed with, or to withdraw, notice of intention of realignment of road or part of road.	Section 65(4)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to assess and pay the owner of land reasonable compensation for decrease in value of land because of decision not to proceed with realignment of a road or part of a road after giving a notice of intention to acquire land and structural improvements have been made on land that adjoins the road.	Section 66	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to acquire land that adjoins a road for use as a footpath.	Section 67	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to submit objection to application for opening or closing of road in local government area by someone other than the local government.	Section 68	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to close a road (permanently or temporarily) to all traffic, or traffic of a particular class, if there is another road or route reasonably available for use by the traffic.	Section 69(1)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	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).	Section 69(2)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to publish notice of closing of road.	Section 69(3)	12-Dec-2017 Item F2	

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Local Government Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
24.	Chief Executive Officer	Power to do everything necessary to stop traffic using the road after it is closed.	Section 69(4)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to permit the use of any part of a road after it is closed to traffic for a temporary purpose subject to appropriate conditions.	Section 69(5)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to make a temporary road through land adjoining the road to be used while the road is being remade or repaired.	Section 70(2)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to agree with owner or occupier of land regarding local government entry and the giving of written or oral notice as specified in section 70(3) and (4) of the <i>Local Government Act 2009</i> .	Sections 70(3) and (4)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to agree with the owner of land the amount of compensation for physical damage caused by local government entering, occupying or using land under section 70 of the <i>Local Government Act 2009</i> .	Sections 70(7) and (8)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to fix and advise the owner or occupier or change the permanent level of a road under section 71 of the <i>Local Government Act 2009</i> .	Sections 71(1) and (3)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to agree the amount of compensation payable under section 71 of the <i>Local Government Act 2009</i> .	Section 71(4)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, in the circumstances set out in subsection 72(1), to require the entity that is conducting the activity to provide information that will enable the local government to assess the impact of the activity on the road.	Section 72(2)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, in the circumstances set out in subsection 72(1), to assess impact of the activity on the road.	Section 72(3)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to give the entity conducting an activity a direction about the use of the road to lessen the impact or to require the entity to carry out works to lessen the impact or to pay an amount as compensation for the impact.	Section 72(3)(a) and (b)	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to recover an amount of compensation payable under subsection 72(3)(b)(ii) in a court.	Section 72(5)	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to categorise the roads in the local government area according to the surface of the road.	Section 73	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to prepare and keep up to date a map of every road including private roads in the local government area and a register of roads showing the category of every road, the level of every road that has a fixed level and other particulars prescribed under a regulation.	Section 74	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power to approve the carrying out of works on a road or interference with a road or its operation subject to conditions.	Section 75	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power to, by written notice, require the owner of a property to connect a stormwater installation for the property to the local government's stormwater drain in the way, under the conditions and within the time stated in the notice.	Section 77	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power to give approval for the connection of a stormwater installation to the local government's stormwater drain (including the imposition of conditions) in accordance with section 77 of the <i>Local Government Act 2009</i> .	Section 77	12-Dec-2017 Item F2	

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Local Government Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
40.	Chief Executive Officer	Power to give a notice requiring the owner of a property to perform sewerage installation works.	Section 78	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power to perform work to fix damage and recover reasonable costs for the work from a person who puts a prohibited substance in the stormwater drain.	Section 79	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power to provide a ferry service across a water course under section 80B of the <i>Local Government Act 2009</i> including the leasing of the right to provide the ferry service.	Section 80B	12-Dec-2017 Item F2	
43.	Chief Executive Officer	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.	Section 90B	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power to register a charge over land for overdue rates and charges under section 95 of the <i>Local Government Act 2009</i> .	Section 95	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power to lodge documents with the Registrar of Titles for release of the charge if overdue rates and charges are paid.	Section 95	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power to establish an efficient and effective internal audit function.	Section 105(1)	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power to maintain public liability insurance and professional indemnity insurance.	Section 107(1)	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power to enter into a contract of insurance with WorkCover Queensland or another insurer to cover its councillors.	Section 107(3)	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power to give the public notice of the disbursement of funds not provided for in the local government's budget.	Section 110	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power to give or to attempt to give an occupier of a property a written notice that informs the occupier of the local government's intention to enter the property.	Section 133	12-Dec-2017 Item F2	
51.	Chief Executive Officer	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> .	Section 137	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power to authorise an employee or agent of the local government to act as a local government worker.	Section 138(5)	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power to give each local government worker an identity card.	Section 138A(1)	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power to give a reasonable entry notice, as defined by section 138AA(4), to the occupier of a property that a local government worker may enter the property and take action required under a remedial notice.	Section 142(2)	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power to recover as a debt the amount that the local government properly and reasonably incurs in taking the action from the person who failed to take the action.	Section 142(4)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	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.	Section 142 (7)	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power to give reasonable entry notice, as defined by section 138AA(4), to the owner and the occupier of rateable land of entry by a local government worker to search for and remove materials.	Section 143	12-Dec-2017 Item F2	



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Local Government Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
58.	Chief Executive Officer	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> .	Section 147	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power to give written notice of a complaint about the conduct or performance of a councillor to the chief executive officer.	Section 176B(2)	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power to: - 1. agree to the terms and conditions of an employee's contract of employment (including any variation to those terms); and 2. terminate the contract of employment of employees, in accordance with the terms and conditions of an employee's contract of employment.	Section 196(2)	12-Dec-2017 Item F2	For avoidance of doubt, this power does not include the power to: - 1. appoint all employees (other than senior executive employees), which is separately dealt with under section 196(3) of the Act; or 2. appoint senior executive employees, which is separately dealt with under section 196(4) of the Act.
61.	Chief Executive Officer	Power to agree with other local governments about the joint employment of a local government employee.	Section 198	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into LGAsuper.	Section 219(1)	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into another fund directed by the employee.	Section 219(2)	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power, as a local government other than the Brisbane City Council, to comply with a notice giving by the LGAsuper Trustee under subsection 219A(1).	Section 219A	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power, as a local government, to deduct all or part of the employee's contributions from the employee's salary or any money that the employee owes to Council.	Section 220A(4)	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power, in the circumstances set out in subsection 220B(1), to agree in writing with an employee:- (a) to reduce the pre-agreement contributions to the amount equal to the employee's concessional contributions cap for the financial year; and (b) if a yearly contribution made under section 220A(3) is part of the pre-agreement contributions – on the extent, if any to which a contribution mentioned in 220B(1)(a) of (b) will be reduced to achieve the reduction.	Section 220B(2)	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power, where the pre-agreement contributions are reduced under subsection 220B(2), to pay the amount of the reduction to the employee as salary.	Section 220B(3)	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power, as an employer, to agree in writing with an employee:- (a) that the employee is exempt, on the grounds of the employee's financial hardship, from paying all or a stated part of the contributions payable under section 220A(2) by the employee; and (b) on the period, of not more than 1 year, of the exemption.	Section 221(2)	12-Dec-2017 Item F2	

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Local Government Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
69.	Chief Executive Officer	Power, as an employer, to give a copy of the agreement made under subsection 220(2) to the relevant trustee.	Section 221(4)	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power, as an employer who has received a notice from the employee under subsection 222(2), to calculate the yearly contributions payable for the employee based on the employee's salary before it was decreased.	Section 222(3)	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power, in the circumstances set out in subsection 224(1), to pay interest on the amount of the contribution to the relevant fund for the employee.	Section 224(2)	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power, as a local government (other than the Brisbane City Council), to, for its councillors:- (a) establish and amend a superannuation scheme; or (b) take part in a superannuation scheme.	Section 226(1)	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power, as a local government who has exercised its power under subsection 226(1), to pay an amount from its operating fund to the superannuation scheme as a contribution for its councillors.	Section 226(2)	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power to enter into an arrangement with a councillor under which – (a) the councillor agrees to forgo a percentage or amount of the remuneration that the councillor is entitled to as a councillor; and (b) the local government agrees to contribute the percentage or amount to the superannuation scheme for the councillor.	Section 226(4)	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power to make a submission as a local governing body within the meaning of the Local Government (Financial Assistance) Act to assist the Local Government Grants Commission to make a decision about funding under the Local Government (Financial Assistance) Act.	Section 228(4)	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power to sign a document on behalf of a local government as a delegate of the local government.	Section 236	12-Dec-2017 Item F2	
77.	Chief Executive Officer	Power to effect substituted service.	Section 239	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power to authorise an employee in any legal proceedings – (a) to give instructions and act as the authorised agent for the local government; and (b) sign all documents for the local government.	Section 240(1)	12-Dec-2017 Item F2	
79.	Chief Executive Officer	Power to do anything that is necessary or convenient for performing the responsibilities of the local government under a Local Government Act.	Section 262	12-Dec-2017 Item F2	

Local Government Regulation 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to decide the amount of a fee for a request of an extract or certified copy of a local law from the local government's register of local laws.	Section 14(2)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to identify and assess each new significant business activity for possible reform involving full cost pricing, commercialising, or corporatizing the activity.	Section 18	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to decide what to charge for goods or services provided in conducting a significant business activity in accordance with section 22 <i>Local Government Regulation 2012</i> .	Section 22	12-Dec-2017 Item F2	



Local Government Regulation 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
4.	Chief Executive Officer	Power to conduct a 2-part charge assessment for providing water services	Section 41(1)(a)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to ensure the public can inspect a copy of the report given to Council under section 52.	Section 53	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to give notice of the resolution to the entities listed in the subsection.	Section 55(4)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to establish a register of business activities to which the competitive neutrality principle applies.	Section 56(1)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power in relation to a mall to do any of the following: (a) anything necessary or desirable for developing, managing, maintaining (including cleaning), promoting or using a mall; (b) permit the use of any part of the mall on conditions it considers appropriate; (c) anything incidental to its powers mentioned in (a) or (b).	Section 58	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to construct, maintain, manage and regulate the use of: (a) harbours for small vessels in or over tidal waters; and (b) jetties, breakwaters and ramps in or over tidal waters; and to occupy and use foreshore, tidal land or tidal waters to undertake work in exercising those powers.	Section 59	12-Dec-2017 Item F2	
10.	Chief Executive Officer	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.	Section 63	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to enter into arrangements necessary to perform the joint responsibility of the local government where a road or other work is to be, or has been, built: (a) along the boundary between two or more local government areas; and (b) partly in each of the areas.	Section 64	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to identify, in any way considered appropriate, parcels of rateable land to which a minimum amount of general rates apply.	Section 77(2)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to identify, in any way considered appropriate, the rating category to which each parcel of rateable land in the local government area belongs. Nb. this section is only required where Council is levying differential general rates.	Section 81(4)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to decide what rating category the land referred to in subsection (1) should be in. Nb. this section is only required where Council is levying differential general rates.	Section 82(2)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to ensure that each relevant rate notice is accompanied by, or contains, a rating category statement. Note: this section is only required where Council is levying differential general rates.	Section 88(2)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to allow a longer period than prescribed for the owner of land to object to the categorisation of the owner's land for rating purposes.	Section 88(4)(d)(ii)	12-Dec-2017 Item F2	



Local Government Regulation 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
17.	Chief Executive Officer	Power to allow a longer period within which an owner of rateable land must give an objection notice.	Section 90(5)(b)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges to the current owners of the land on which the special rates or charges were levied. Nb. this section is only required where Council is levying special or charges rates.	Section 96(2)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges to the current owners of the land on which the special rates or charges were levied. Nb. this section is only required where Council is levying special or charges rates.	Section 97(2)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to levy rates or charges by a rate notice.	Sections 104, 105, 106 107 and 108	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to determine a period considered appropriate for the issue of a rate notice.	Section 107(1)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power, where land becomes, or stops being, rateable land, to adjust the rates so that the rates are calculated only on the period when the land was rateable land.	Section 110	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, if the value of the land changes under the Land Valuation Act, to adjust the rates so that the rates are calculated on the new value of the land for the period that starts on the day the change takes affect.	Section 111	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, if the land is given a rating category, including a change of rating category, to adjust the general rates so that the rates are calculated on the new or changed rating category for the period that starts on the day the land was given the new or changed rating category.	Section 112	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, if the land becomes, or stops being, land on which the local government may levy special rates or charges, to adjust the rates or charges so that the rates or charges are calculated on period when the land was land on which the local government could levy special rates or charges.	Section 113	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, if the land becomes, or stops being, land on which the local government may levy special rates or charges, to adjust the rates or charges so that the rates or charges are calculated on period when the land was land on which the local government could levy special rates or charges.	Section 114	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, refund the overpaid amount of rates or charges or recover the amount of rates or charges owing if the rates or charges are paid before they are adjusted.	Section 115	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to accept an application from a ratepayer made under subsection (1)(a).	Section 122(3)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to be satisfied that a ratepayer is eligible for a concession granted pursuant to a resolution made under subsection (1)(b).	Section 122(4)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power, in the circumstances referred to in subsection (1), to refund the amount of the rebated rates or charges to the ratepayer.	Section 124(2)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power to still allow a discount where satisfied that the ratepayer has been prevented, by circumstances beyond their control, from paying the rates or charges in time to get the discount.	Section 130(10)	12-Dec-2017 Item F2	



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Local Government Regulation 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
32.	Chief Executive Officer	Power to give a benefit that is not a discount as an inducement for payment of rates or charges before the due date for payment.	Section 131	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to decide: (a) the rate of interest payable; (b) the day from which interest is, payable on overdue rates or charges; and (c) the manner of the calculation of interest.	Section 133	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to recover overdue rates or charges by bringing Court proceedings for a debt.	Section 134	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to give the State or government entity that has an interest in the land under a State encumbrance a notice of the local government's intention to sell the land.	Section 138	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, where Council has by resolution decided to sell the land, to give all interested parties a notice of intention to sell the land.	Section 140(3)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power to carry out the procedures that a local government must follow to sell land for overdue rates or charges.	Section 142	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power to set a reserve price for the sale by auction of land for overdue rates and charges.	Section 143(1)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power to enter into negotiations with the highest bidder at the auction to sell the land for overdue rates or charges and to form an agreement to sell the land.	Section 143(2)	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power to give the registrar of titles a general request form if land is taken to have been sold at auction to Council.	Section 144(2)	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, in the circumstances set out in subsection (1), to give the registrar of titles an appropriate form.	Section 145(2)	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power to use the proceeds of sale of the land for the purposes and in the order specified.	Section 146	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, where Council has by resolution decided to acquire the land, to give all interested parties a notice of intention to acquire the land.	Section 149(2)	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, in the circumstances set out in subsection (1), to start the procedures to acquire the land.	Sections 150(2) and 151	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power to decide any other information considered appropriate for inclusion in a land record.	Section 154(2) (e)	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power to decide the reasonable fee to inspect the land record kept by Council.	Section 155(1)	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power to record the details of the new owner in the land record.	Section 162	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power to keep a written record, in the way required by subsection (2), which states the matters identified in subsection (1).	Section 164	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power to give a grant to a community organisation in the public interest and consistent with the local government's community grants policy.	Section 194	12-Dec-2017 Item F2	

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Local Government Regulation 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
50.	Chief Executive Officer	Power to spend money on entertainment or hospitality consistent with the local government's entertainment and hospitality policy.	Section 196(2)	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power to spend money on advertising to provide information or education that is in the public interest and consistent with the local government's advertising spending policy.	Section 197(2)	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power to allow the public to inspect and purchase copies of the documents referred to in subsection (1).	Section 199(2)	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power to:- 1. establish a trust fund; 2. deposit trust money in a financial institution account; and 3. reconcile the assets of the trust fund with the liabilities of the trust fund.	Section 200	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power to transfer money to or from a trust fund in accordance with section 201 <i>Local Government Regulation 2012</i>	Section 201	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power to publish an availability notice.	Section 202(2)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power to publish a notice after an amount has been allocated from a councillor's discretionary funds.	Section 202(7)	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power to establish separate accounting records for Council's:- (a) operations; and (b) its trust fund.	Section 203	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power to prepare a financial report.	Section 204	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power to:- (a) prepare an internal audit plan; (b) carry out an internal audit; (c) prepare a progress report for the internal audit; (d) assess compliance with the internal audit plan; and (e) give the documents referred to in subsection (3) to the audit committee.	Section 207	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power to appoint the members of the audit committee.	Section 210	12-Dec-2017 Item F2	
61.	Chief Executive Officer	Power to give the financial statements referred to in subsections (1) and (2) to the auditor-general.	Section 212	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power to give the department's chief executive a notice stating that the local government has paid notional GST for the previous financial year.	Section 215	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power to set the value limit for valuable non-current assets other than land.	Section 224(7) (b)	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power to invite written quotes for a medium-sized contractual arrangement.	Section 225(1)	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power to decide to accept a quote or to decide not to accept any of the quotes it receives for a medium-sized contractual arrangement.	Section 225(3) and (4)	12-Dec-2017 Item F2	



Local Government Regulation 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
66.	Chief Executive Officer	Power to invite written tenders for a large-size contractual arrangement.	Section 226	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power to invite written tenders for a valuable non-current asset contract or to offer a non-current asset for sale by auction.	Section 227	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power to invite expressions of interest, prepare a shortlist and invite written tenders pursuant to section 228 <i>Local Government Regulation 2012</i> .	Section 228(2) (b)	12-Dec-2017 Item F2	The local government: (a) decides, by resolution, that it would be in the public interest to invite expressions of interest before inviting written tenders; and (b) records its reasons for making the resolution in the minutes of the meeting at which the resolution was made.
69.	Chief Executive Officer	Power to decide to accept a tender or not to accept any tenders it receives.	Section 228(8) and (9)	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in accordance with a quote or tender consideration plan adopted by local government resolution.	Section 230(1)	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement for services with a person on an approved contractor list.	Section 231(2)	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power to put together an approved contractor list.	Section 231(4)	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power to enter into a contract for a medium-sized contractual arrangement or large-sized contractual arrangement for the supply of goods or services with a supplier from a register of pre-qualified suppliers.	Section 232(2)	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power to establish a register of pre-qualified suppliers of particular goods or services by inviting tenders.	Section 232(3)	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement for goods or services with a preferred supplier under a preferred supplier arrangement.	Section 233(2)	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power to establish a preferred supplier arrangement by inviting tenders.	Section 233(3) to (8)	12-Dec-2017 Item F2	
77.	Chief Executive Officer	Power to enter into a contract for goods and services under an LGA arrangement.	Section 234(1)	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in circumstances specified in section 235 <i>Local Government Regulation 2012</i> .	Section 235	12-Dec-2017 Item F2	



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Local Government Regulation 2012					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
79.	Chief Executive Officer	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> .	Section 236	12-Dec-2017 Item F2	
80.	Chief Executive Officer	Power to publish and display relevant details of a contractual arrangement worth \$200,000.00 or more (exclusive of GST).	Section 237	12-Dec-2017 Item F2	
81.	Chief Executive Officer	Power, in the circumstance identified in subsection (1), to make a submission to the tribunal for approval to pay a councillor an amount of remuneration of more than the maximum amount.	Section 248(2)	12-Dec-2017 Item F2	
82.	Chief Executive Officer	Power to notify of the adoption of an expenses reimbursement policy in the way specified in section 251.	Section 251	12-Dec-2017 Item F2	
83.	Chief Executive Officer	Power to give written notice of each meeting or adjourned meeting of Council to each councillor.	Section 258	12-Dec-2017 Item F2	
84.	Chief Executive Officer	Power to allow a councillor to take part in a meeting by teleconferencing.	Section 276(2)	12-Dec-2017 Item F2	
85.	Chief Executive Officer	Power to publish the notice mentioned in subsection (1).	Sections 277(1) and (2)	12-Dec-2017 Item F2	
86.	Chief Executive Officer	Power to display in a conspicuous place in Council's public office a notice of the days and time when Council meetings will be held and committee meetings will be held.	Sections 277(3)	12-Dec-2017 Item F2	
87.	Chief Executive Officer	Power to publish the list of items to be discussed at a meeting, including details or documents relating to an item, on the local government's website.	Section 277(6)	12-Dec-2017 Item F2	
88.	Chief Executive Officer	Power, as a former employer, to pay the new employer an amount for the number days of long service leave that the person is entitled to take because of the person's period of employment with the former employer.	Sections 287(1)	12-Dec-2017 Item F2	
89.	Chief Executive Officer	Power, as a former employer, to provide the new employer with the information specified in subsection (3).	Sections 287(3)	12-Dec-2017 Item F2	
90.	Chief Executive Officer	Power to make available a copy of the register of interests of councillors available for inspection by the public at Council's public office and on its website.	Sections 295	12-Dec-2017 Item F2	
91.	Chief Executive Officer	Power to do all things specified in subsection (4) in relation to Council's complaints management process and administrative action complaints.	Section 306(4)	12-Dec-2017 Item F2	
92.	Chief Executive Officer	Power to make a reasonable allocation of its administrative and overhead costs to each relevant activity, having regard to all of a local government's relevant activities.	Schedule 4 section 5	12-Dec-2017 Item F2	
93.	Chief Executive Officer	Power to decide an amount for depreciation of an asset used in conducting a relevant activity that is appropriate in the circumstances.	Schedule 4 section 7	12-Dec-2017 Item F2	
94.	Chief Executive Officer	Power to work out tax equivalents for Commonwealth or State taxes a local government is not liable to pay as a local government in accordance with schedule 4 section 8 <i>Local Government Regulation 2012</i> .	Schedule 4 section 8	12-Dec-2017 Item F2	
95.	Chief Executive Officer	Power to decide the amount for the return on capital used by a local government in conducting a relevant activity in accordance with schedule 4 section 10 <i>Local Government Regulation 2012</i> .	Schedule 4 section 10	12-Dec-2017 Item F2	

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Mineral and Energy Resources (Common Provisions) Act 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a public land authority, to agree in writing to a longer entry period.	Section 57(3)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a public land authority, to impose reasonable and relevant conditions on the resource authority holder about the entry to the public land or the carrying out of the authorised activity.	Section 59(2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a public land authority, to vary any condition it has imposed.	Section 59(7)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a public land authority, to give the holder an information notice about the imposition of a condition or the varying of a condition.	Section 59(8)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a public land authority for land, to give a waiver of entry notice.	Section 60(1)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a public road authority, to sign a compensation agreement for the use of a public road for a notifiable road use.	Section 63(1)(b)(i)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a public road authority, to give written consent to the carrying out of a notifiable road use on a public road.	Section 63(1)(b)(ii)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a public road authority for a public road, to give a road use direction.	Section 64(1)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a public road authority for a public road to give an information notice about the decision to give a road use direction.	Section 64(4)(b)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as an owner of restricted land, to give written consent to the resource authority holder carrying out the activity and to impose conditions on the consent.	Section 70	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as an owner or occupier of land, to apply to the Land Court for an order declaring the following:- (a) whether particular land is restricted land for a resource authority or the Mineral Resources Act, Schedule 1, section 2; and (b) whether a particular activity is a prescribed activity for a resource authority.	Section 72(1)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as an eligible claimant, to enter a conduct and compensation agreement with the resource authority holder.	Section 83(1)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as an eligible claimant, to use all reasonable endeavours to negotiate a conduct and compensation agreement or a deferral agreement.	Section 85(1)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as an eligible claimant, to agree to a longer negotiation period.	Section 85(2)(b)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as an eligible claimant, to enter an opt-out agreement.	Section 85(4)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as a party to a conduct and compensation agreement or a deferral agreement, to terminate the agreement by giving notice to the other party during the cooling off period.	Section 87(2)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, as an eligible claimant, to give an election notice.	Section 88(2)	12-Dec-2017 Item F2	



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Mineral and Energy Resources (Common Provisions) Act 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
18.	Chief Executive Officer	Power, where Council has given or received an election notice calling for a conference, to participate in the conference, to agree to a longer period for the conference, to negotiate an agreement about the concerns the subject of the conference and to sign the agreement.	Section 89	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, where Council has given or received an election notice calling for an ADR, to participate in the ADR, to agree to a longer period for the ADR, to negotiate an agreement about the concerns the subject of the ADR and to sign the agreement.	Section 90	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power, as a party who attended a conference or ADR, to apply to the Land Court for an order requiring the non-attending party to pay the attending party's reasonable costs of attending.	Section 91(2)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as a public road authority for a public road, to enter a road compensation agreement.	Section 94(1)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power, as an eligible party, to apply to the Land Court for it to decide:- (a) the resource authority holder's compensation liability to the claimant; or (b) the resource authority holder's future compensation and liability to the claimant for an authorised activity for the resource authority proposed to be carried out or for the holder; or (c) a matter mentioned in section 83(1)(a) or (b).	Section 96(2)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, as a public road authority, to apply to the Land Court for the Court to decide a resource authority holder's compensation liability.	Section 100(1)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as a public road authority or an eligible claimant, to apply to the Land Court for a review of the original compensation.	Section 101(2)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as a relevant entity, to give the chief executive a copy of a notice or consent given by or to Council under chapter 3.	Section 205(1)	12-Dec-2017 Item F2	

Mineral Resources Act 1989					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
26.	Chief Executive Officer	Power to make a note on each relevant map in Council's planning scheme.	Section 4B(3)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to give the chief executive a written notice for the taking of land for which mining interests are extinguished.	Section 10AAA(9)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to consult with the decision-maker about the granting of a new mining tenement for an area that includes acquired land.	Section 10AAC(1)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as the owner of a reserve, to give written consent, with or without conditions, to a parcel prospecting permit holder entering the surface of the reserve.	Sections 19(1) and 20	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power, as the owner of occupied land, to give written consent, with or without conditions, to a district prospecting permit holder entering the surface of the land.	Sections 19(2) and 20	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as the owner of occupied land, to give written consent, with or without conditions, to a prospecting permit holder entering the land for hand mining.	Sections 19(3) and 20	12-Dec-2017 Item F2	

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Mineral Resources Act 1989					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
32.	Chief Executive Officer	Power, as the owner of land, to apply to the chief executive to rectify the damage referred to in subsection (1) that has been caused by any activity allegedly authorised under a prospecting permit in respect of the land.	Section 26(3)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as the owner of land, to give written approval to the chief executive for the refund of security for a parcel prospecting permit.	Section 26(9)	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power, as the owner of land where a person purports to enter the land under authority of a prospecting permit, to report to the chief executive that a person is not authorised to enter or be upon the land or is not complying with any condition of the prospecting permit or of any provision of the Act.	Section 34(1)	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as the owner of land where a person purports to be upon the land under authority of a prospecting permit, to require the person to produce the prospecting permit or a written authorisation in a form acceptable to the chief executive from the holder of the prospecting permit authorising the person to enter or be upon that land for prospecting purposes.	Section 46(1)	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, as the owner of occupied land, to give written consent to a person entitled to enter the land under a prospecting permit to enter the land at night.	Section 47(1)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as the owner of occupied land, to give written consent to a person entitled to enter the land under a parcel prospecting permit to enter the land at night.	Section 47(2)	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as the relevant owner of restricted land, to give written consent to an application for a mining claim on the land.	Section 51(2)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as the owner of land that is a reserve, to consent to the granting of a mining claim over the land.	Section 54(a)	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as the owner of land that is affected by an application for a mining claim, to make a written request to the chief executive for a conference.	Section 65(1)(a)	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power to attend a section 65 conference and to reach agreement about something discussed at the conference.	Sections 66 and 69	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as the owner of relevant land and/or as a relevant local government, to lodge a written objection in the approved form to an application for a mining claim and to serve a copy of the objection on the applicant.	Section 71	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power to withdraw an objection to a mining claim by giving written notice to the entities specified in subsection (1).	Section 71A	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as an owner of land the subject of the application and of any surface access to that land, to agree with the applicant for a mining claim about the amount of compensation to be paid to Council.	Section 85(1)(a)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power, as an owner of land the subject of the application and of any surface access to that land, to apply in writing to the chief executive to have the Land Court determine the amount of compensation and the terms, conditions and times of payment thereof.	Section 85(5)	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power, as a party aggrieved by a determination of the Land Court made under section 85, to appeal to the Land Appeal Court against the Land Court's decision.	Section 86	12-Dec-2017 Item F2	

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Mineral Resources Act 1989					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
47.	Chief Executive Officer	Power, as an appellant pursuant to section 86, to lodge the security in the decided form and amount.	Section 86A(5)	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power, as the owner of land that is a reserve, to give the Minister the land owner's views about further prospecting or exploration on the land.	Section 124(2)	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power, as the owner of land where a person purports to be upon the land under authority of an exploration permit, to require the person to produce the exploration permit or a written authorisation in a form acceptable to the chief executive from the holder of the exploration permit authorising the person to enter or be upon that land for exploration purposes.	Section 167(1)	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power, as the owner of land in the area of a mineral development licence, to certify that there is no actual damage to the land that should be rectified	Section 190(8)(a)	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power, as the owner of land where a person purports to be upon the land under authority of a mineral development licence, to require the person to produce the mineral development licence or a written authorisation in a form acceptable to the chief executive from the holder of the mineral development licence authorising the person to enter or be upon that land for any purposes authorised thereunder.	Section 216(1)	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as the owner of land, to consent to a mining lease holder making an application to conduct drilling and other activities on land not included in the surface area covered under the lease.	Section 237(2)(d)(i)	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as the owner of restricted land, to consent to the making of an application for a mining lease over the land.	Section 238(1)(a)	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power to lodge an objection to an application for grant of a mining lease.	Sections 260(1) and (2)	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power to serve a copy of the objection lodged against an application for grant of a mining lease on the applicant.	Section 260(4)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power to withdraw an objection lodged against an application for grant of a mining lease.	Section 261(1)	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power, as the owner of land that is a reserve, to give written consent to the grant of a mining lease over the surface area of the reserve.	Section 271A(2)(a)	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power, as an owner of land the subject of an application to grant or renew a mining lease and of any surface access to that land, to agree with the applicant for the lease about the amount of compensation to be paid to Council.	Sections 279(1)(a) and (3)	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power, as an owner of land the subject of a mining lease where no part of the surface area of that land is included in the lease, to agree with the holder of the lease about the amount of compensation to be paid as compensation for any damage caused to the surface of the land.	Sections 280	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power, as a person who could be a party to an agreement under sections 279 or 280, to apply in writing to the chief executive to have the Land Court determine the amount of compensation and the terms, conditions and times of payment thereof.	Section 281(1)	12-Dec-2017 Item F2	
61.	Chief Executive Officer	Power, as a party aggrieved by a determination of the Land Court made under section 281, to appeal to the Land Appeal Court against the decision.	Section 282(1)	12-Dec-2017 Item F2	



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Mineral Resources Act 1989					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
62.	Chief Executive Officer	Power, as an appellant pursuant to section 282, to lodge the security in the decided form and amount.	Section 282A(5)	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power, as an owner of land in relation to a lease mentioned in section 279(1)(a) or 280(1) to agree in writing to amend the original compensation.	Section 283A(2)	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power, as an owner of land in relation to a lease mentioned in section 279(1)(a) or 280(1) to apply, in the circumstances identified in subsection (1), to the Land Court to review the original compensation.	Section 283B(2)	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power, as the recipient of a notice given by the Minister pursuant to section 335G, to attend and take part in the conference and reach agreement on issues discussed at the conference.	Sections 335H and 335L	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power, as the owner of land, to enter a compensation agreement.	Section 345(2)	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power, as a person who could be a party to a compensation agreement, apply in writing to the chief executive to have the Land Court decide the amount of compensation and the terms, conditions and times of its payment	Section 345(4)	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power as the owner of restricted land to consent, with or without conditions, to the entry of the land under section 386V.	Schedule 1, Section 2(1)	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power as the owner of occupied land to consent, with or without conditions, to the entry of the land under section 386V at night.	Schedule 1, Section 3(1)	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power as the owner of a reserve to give written consent to the entry of the surface of the reserve under section 386V.	Schedule 1, Section 4	12-Dec-2017 Item F2	

Mining and Quarrying Safety and Health Act 1999					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as an operator of a mine, to comply with the operator's obligations contained in subsections (1) and (2).	Section 38	12-Dec-2017 Item F2	
2.	Chief executive officer	Power, as an operator of a mine, to give the inspector for the region in which the mine is situated notice of:- (a) the operator's name and address; and (b) the name of and description of the land comprising the mine or part of the mine.	Section 47(1)(a)	12-Dec-2017 Item F2	
3.	Chief executive officer	Power, as an operator of a mine, to give the inspector for the region in which the mine is situated a facility description for the mine.	Section 47(1)(b)	12-Dec-2017 Item F2	
4.	Chief executive officer	Power, as an operator of a mine, to give the inspector for the region in which the mine is situated notice of the day operations are to start.	Section 47(3)	12-Dec-2017 Item F2	
5.	Chief executive officer	Power, as an operator of a mine, to give the inspector for the region in which the mine is situated notice of the appointments specified in subsection (4).	Section 47(4)	12-Dec-2017 Item F2	
6.	Chief executive officer	Power, as an operator of a mine, to give the inspector for the region in which the mine is situated written particulars of the land added or omitted.	Section 47(4)	12-Dec-2017 Item F2	

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Mining and Quarrying Safety and Health Act 1999					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
7.	Chief executive officer	Power, as an operator of a mine, to appoint a person to act as the site senior executive during the absence.	Section 52(1)	12-Dec-2017 Item F2	
8.	Chief executive officer	Power, as an operator of a mine that has been abandoned, to give the chief inspector plans showing the extent of operations undertaken at the mine.	Section 58(3)	12-Dec-2017 Item F2	
9.	Chief executive officer	Power, as an operator of a mine, to keep a mine record and make it available for inspection.	Section 59	12-Dec-2017 Item F2	
10.	Chief executive officer	Power, as a former operator, to give the new operator the mine record for the mine.	Section 59(5)	12-Dec-2017 Item F2	
11.	Chief executive officer	Power, as an operator of a mine that has been abandoned, to ensure that the abandoned mine is safe and made secure.	Section 61(1)	12-Dec-2017 Item F2	
12.	Chief executive officer	Power, as a person in control or temporarily in control of a mine, to give the representative reasonable help in the exercise of powers under subsection (1).	Section 116(2)	12-Dec-2017 Item F2	
13.	Chief executive officer	Power, as a person with an obligation under the Act with access to the documents, to produce the documents.	Section 116(3)	12-Dec-2017 Item F2	
14.	Chief executive officer	Power, as an occupier, to consent to the entry of a place by an officer and sign an acknowledgement of the consent.	Section 131(3)	12-Dec-2017 Item F2	
15.	Chief executive officer	Power, as a person required to give reasonable help under section 136(3)(f), to comply with the requirement.	Section 137	12-Dec-2017 Item F2	
16.	Chief executive officer	Power, as a person of whom the requirement is made, to comply with the requirement.	Section 143(3)	12-Dec-2017 Item F2	
17.	Chief executive officer	Power, as the owner of a thing that has been seized and not returned, to apply to the chief inspector for its return.	Section 146(2)	12-Dec-2017 Item F2	
18.	Chief executive officer	Power, as a person of whom a document production requirement has been made, to comply with the requirement.	Section 152	12-Dec-2017 Item F2	
19.	Chief executive officer	Power, as a person of whom a document certification requirement has been made, to comply with the requirement.	Section 153	12-Dec-2017 Item F2	
20.	Chief executive officer	Power, as a person to whom a directive is given, to comply with the directive.	Section 171(2)	12-Dec-2017 Item F2	
21.	Chief executive officer	Power, as a person who has received a directive, to apply under Part 9, Subdivision 4 for the directive to be reviewed. For avoidance of doubt, the power delegated includes (without limitation) the power to take all actions as detailed in sections 172, 173, 174 and 175.	Sections 172, 173, 174 and 175	12-Dec-2017 Item F2	
22.	Chief executive officer	Power, as a person required to give primary information under subsection (1), to comply with the requirement.	Section 195A(3)	12-Dec-2017 Item F2	
23.	Chief executive officer	Power to appeal to the Industrial Court. For avoidance of doubt, the power delegated includes (without limitation) the power to take all actions as detailed in sections 223 and 224.	Sections 223 and 224,	12-Dec-2017 Item F2	
24.	Chief executive officer	Power, as a person dissatisfied with a decision of an industrial magistrate in proceedings brought under subsection 234(1), to appeal to the Industrial Court.	Section 234	12-Dec-2017 Item F2	
25.	Chief executive officer	Power, as an operator, to advise a subsequent worker that the original worker exercised rights under subsection (1).	Section 253(4)	12-Dec-2017 Item F2	

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Mining and Quarrying Safety and Health Act 1999					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
26.	Chief executive officer	Power, as a person with obligation under the Act, to make a representation to an inspector or inspection officer.	Section 254	12-Dec-2017 Item F2	

Mining and Quarrying Safety and Health Regulation 2017					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief executive officer	Power, as an operator, to ensure hazard identification for the mine's operations is done during the operations' planning and design.	Section 6(2)	12-Dec-2017 Item F2	
2.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk at a mine, to apply hazard controls in the order identified in subsection (1).	Section 8(1)	12-Dec-2017 Item F2	
3.	Chief executive officer	Power, as a responsible person for a mine, to pay a safety and health fee.	Section 11C(1)	12-Dec-2017 Item F2	
4.	Chief executive officer	Power, as a responsible person for a mine, to give the chief executive a safety and health census.	Section 11D(1)	12-Dec-2017 Item F2	
5.	Chief executive officer	Power, as a responsible person for a mine, to make submissions to the chief executive.	Section 11E(3)	12-Dec-2017 Item F2	
6.	Chief executive officer	Power, as a responsible person for a mine, to pay the amount of the safety and health fee stated in the invoice.	Section 11E(6)	12-Dec-2017 Item F2	
7.	Chief executive officer	Power, as an operator, to ensure:- (a) switchgear used at the mine allows for reliable circuit interruption, under fault conditions, at all points in the mine's electrical distribution system; and (b) each electrical circuit at the mine is protected against overload, short circuit and earth fault under all operating conditions to effectively:- (i) interrupt the electricity supply; and (ii) isolate faults.	Section 22	12-Dec-2017 Item F2	
8.	Chief executive officer	Power, as an operator, to ensure that the electricity supply to the plant identified in section 23 is capable of interruption from an accessible position remote from the plant.	Section 23	12-Dec-2017 Item F2	
9.	Chief executive officer	Power, as an operator, to ensure:- (a) each automatic, programmable or computerised electrical control system at the mine operates safely under all operating conditions, including power supply instability or failure; and (b) the emergency stopping systems and safety alarms at the mine remain effective if there is a fault or failure in a system mentioned in paragraph (a).	Section 24	12-Dec-2017 Item F2	
10.	Chief executive officer	Power, as an operator, to ensure each earthing system at the mine is installed and maintained at sufficiently low impedance and has sufficient capacity to ensure:- (a) reliable operation of electrical protective systems and devices; and (b) adequate protection against contact with conductive parts that have become live under fault conditions.	Section 25	12-Dec-2017 Item F2	

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Mining and Quarrying Safety and Health Regulation 2017					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
11.	Chief executive officer	Power, as an operator, to ensure the mine has earth leakage protection for each electrical circuit exceeding extra low voltage that:- (a) is in a portable, transportable or mobile apparatus; or (b) has an outlet for, or supplies electricity to, a trailing cable or flexible lead.	Section 26	12-Dec-2017 Item F2	
12.	Chief executive officer	Power, as an operator, to ensure each item of electrical equipment used at the mine has a full current isolation facility in a location that is easily accessible by a person required to carry out the isolation.	Section 27(1)	12-Dec-2017 Item F2	
13.	Chief executive officer	Power, as an operator, to ensure the isolator is clearly marked or labelled and compatible with the mine's isolation and lock-out procedures.	Section 27(2)	12-Dec-2017 Item F2	
14.	Chief executive officer	Power, as an operator, to ensure electrical equipment exceeding extra low voltage used at the mine has a device or feature for preventing a person inadvertently contacting live parts of the equipment.	Section 29	12-Dec-2017 Item F2	
15.	Chief executive officer	Power, as an operator, to ensure the prospective touch voltage at the mine is limited to a level necessary to achieve an acceptable level of risk.	Section 30	12-Dec-2017 Item F2	
16.	Chief executive officer	Power, as an operator, to ensure voltage rise in an electrical installation at the mine caused by lightning strike, static electricity, voltage surges and other transient voltages is limited to a level necessary to achieve an acceptable level of risk.	Section 31	12-Dec-2017 Item F2	
17.	Chief executive officer	Power, as an operator of a mine mentioned in subsection (2), to provide adequate resources at the mine to ensure the effectiveness and implementation of the emergency response plan.	Section 35(3)	12-Dec-2017 Item F2	
18.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk in relation to ground control at a mine during the mine's design, operation or abandonment, to ensure appropriate measures are taken to prevent or control local and area failures in ground integrity.	Section 44	12-Dec-2017 Item F2	
19.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the mine layout, design and construction, to ensure the layout, design and construction is carried out having regard to the matters listed in section 45.	Section 45	12-Dec-2017 Item F2	
20.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the design and construction of the mine's roads, to ensure the specification for the design and construction enables the safe movement of vehicles about the mine.	Section 46	12-Dec-2017 Item F2	
21.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk in relation to ventilation at a mine, to ensure appropriate measures are taken to ensure the ventilating air in a place where a person may be present at the mine is of a sufficient volume, velocity and quality to achieve a healthy atmosphere.	Section 48	12-Dec-2017 Item F2	
22.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk in relation to storing and handling hazardous substances or dangerous goods, to ensure they are handled and stored in the manner prescribed under section 56.	Section 56	12-Dec-2017 Item F2	
23.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk in relation to selecting explosives for use at the mine, to ensure the explosives comply with the requirements of section 65.	Section 65	12-Dec-2017 Item F2	



Mining and Quarrying Safety and Health Regulation 2017					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
24.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the selection and design of plant, to ensure that the selection and design of plant complies with the requirements of sections 100, 101 and 102.	Sections 100, 101 and 102	12-Dec-2017 Item F2	
25.	Chief executive officer	Power, as an operator, to ensure plant used or intended for use, at the mine is manufactured, constructed, stored, transported and installed in accordance with any applicable specifications and instructions.	Section 104(1)	12-Dec-2017 Item F2	
26.	Chief executive officer	Power, as an operator, to ensure for fixed plant:- (a) the plant is installed in a location and environment that is compatible with the plant and its use; and (b) the mine layout incorporates appropriate facilities and adequate space for:- (i) access to and egress from the plant during emergencies; and (ii) the plant's operation, monitoring servicing and maintenance.	Section 104(2)	12-Dec-2017 Item F2	
27.	Chief executive officer	Power, as an operator, to ensure plant is commission in its operating environment at the mine before it is used to ensure those matters listed in subsections (1) and (2).	Section 105	12-Dec-2017 Item F2	
28.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the operation of plant, to ensure the plant is not operated in a way prescribed in section 106.	Section 106	12-Dec-2017 Item F2	
29.	Chief executive officer	Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the monitoring of plant, to ensure the plant is monitored in accordance with section 108.	Section 108	12-Dec-2017 Item F2	
30.	Chief executive officer	Power, as an operator, to ensure plant in use at the mine is serviced and maintained in accordance with section 109.	Section 109	12-Dec-2017 Item F2	
31.	Chief executive officer	Power, as a worker's employer, to pay for the worker's health surveillance and health surveillance reports.	Section 131(6)	12-Dec-2017 Item F2	

Nature Conservation (Administration) Regulation 2006					
Please note that this register only includes powers associated with an application for a relevant authority. It does not include powers associated with the making of a commercial agreement.					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to apply for the grant of a relevant authority and to do all things necessary to process the application to obtain a decision.	Sections 23, 24, 26, 27, 27A, 28	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to apply for the amendment of a relevant authority.	Section 47	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to make representations in response to a notice issued by the Chief Executive pursuant to this section.	Section 49	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to make representations in response to a notice issued by the Chief Executive pursuant to this section.	Section 54	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to return a relevant authority to the chief executive.	Sections 55(2), 56(2) and 57	12-Dec-2017 Item F2	



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Nature Conservation (Administration) Regulation 2006

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

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
6.	Chief Executive Officer	Power to apply to the Chief Executive for replacement of a damaged, destroyed, lost or stolen relevant authority.	Section 64	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to surrender a relevant authority to the Chief Executive.	Section 65	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to apply for internal review of a reviewable decision and to do all things necessary to process the application to obtain a decision.	Sections 100 and 102	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a person who is given, or is entitled to be given, a notice under section 101(3) about a decision, to apply to QCAT for external review of the decision.	Section 103	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to give a return of operations to the chief executive..	Section 132	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to keep a copy of a return of operations given to the chief executive..	Section 134	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to give the chief executive a notice stating a return of operations has been stolen, lost, destroyed or damaged.	Section 135	12-Dec-2017 Item F2	

Nature Conservation (Wildlife Management) Regulation 2006

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

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a local government, to:- (a) destroy a flying-fox roost; (b) drive away, or attempt to drive away, a flying-fox from a flying-fox roost; or (c) disturb a flying fox in a flying-fox roost., in an urban flying-fox management area.	Section 41A	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as the holder of a damage mitigation permit, to give a return of operations for the permit to the chief executive.	Section 188	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as the holder of a flying-fox roost management permit, to give a return of operations for the permit to the chief executive.	Section 188G	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a local government, to give the Chief Executive information about:- (a) an area zoned for use for residential or commercial purposes under the local government's planning scheme; and (b) ask the chief executive to amend the urban flying-fox management area map to include the area.	Section 379(2)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a local government, to respond to a request from the Chief Executive pursuant to this section.	Section 383(2)(a)	12-Dec-2017 Item F2	

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Nature Conservation Act 1992

Please note that this register only includes those powers which Councils have as landholders or regulatory bodies under the Act. It does not include powers to apply for the various permits/authorities contained in the Act

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a landholder, to make a submission to the Minister about the proposed declaration of a nature refuge.	Section 44(4)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a landholder, to enter a conservation agreement with the Minister about the declaration of a nature refuge.	Sections 45(1) and 48(1)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a landholder, to request the cancellation of a conservation agreement.	Section 47(2)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a landholder, to make an objection to a proposed compulsory declaration of a nature refuge.	Section 49(2)(c)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a landholder, to claim compensation for injurious affection arising out of the declaration of a nature refuge under section 49 of the Act.	Section 67(5)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a local government, to prepare a statement of management intent for protected wildlife required by the Minister and publish it on Council's website.	Section 100K	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a landholder of land subject to an interim conservation order, to claim compensation.	Section 108(1)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a landholder, to make a submission about a draft management plan.	Section 115A(3)(c)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a landholder, to claim compensation for injurious affection arising where:- (a) a regulation is made, or a conservation plan is approved, for an area identified under the regulation or plan as, or including, a critical habitat or an area of major interest; and (b) a landholder's interest in land in the area is injuriously affected by a restriction or prohibition imposed under the regulation or plan on the landholder's existing use of the land.	Section 137A(5)	12-Dec-2017 Item F2	

Planning Act 2016

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to make submissions to the Minister about the making or amending of a State Planning instrument.	Section 10	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to give notice of a proposed planning scheme or proposed amendment to the chief executive and follow the process for making or amending a planning scheme. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 18, 20 and 26 and as required under a notice give by the chief executive or in the Minister's rules.	Sections 18, 20 and 26	12-Dec-2017 Item F2	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
3.	Chief Executive Officer	Power to apply a planning scheme as a categorising instrument in relation to prescribed tidal works in the tidal area for Council's local government area	Section 19	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to follow the process for the making or amending of an LGIP as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 21 and 26 and as required in the Minister's rules.	Sections 21 and 26	12-Dec-2017 Item F2	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.



Planning Act 2016					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
5.	Chief Executive Officer	Power to follow the process for the making or amending of a planning scheme policy as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 22 and 26 and as required in the Minister's rules.	Sections 22 and 26	12-Dec-2017 Item F2	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
6.	Chief Executive Officer	Power to follow the process for the making or amending of a TLPI as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 23 and 26 and as required in the Minister's rules.	Sections 23 and 26	12-Dec-2017 Item F2	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
7.	Chief Executive Officer	Power to follow the process for repealing a TLPI or planning scheme policy. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 24.	Section 24	12-Dec-2017 Item F2	This delegation does not include the power to decide to repeal the TLPI or planning scheme policy which is required to be exercised by Council pursuant to a resolution of Council (see subsection (1)).
8.	Chief Executive Officer	Power to review a planning scheme and a LGIP and follow the process for the review as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 25 and 26 and as required in the Minister's rules.	Sections 25 and 26	12-Dec-2017 Item F2	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
9.	Chief Executive Officer	Power to decide whether or not to agree to a superseded planning scheme request and give notice of the decision.	Section 29	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to decide a compensation claim. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters detailed in sections 32 and 33.	Sections 32 and 33	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to make or amend a designation and follow the process in the designation process rules. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters detailed in sections 35, 36, 37, 38 and the designation process rules.	Sections 35, 36, 37 and 38	12-Dec-2017 Item F2	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
12.	Chief Executive Officer	Power, as an affected party, to make submissions about the proposal to the Minister.	Section 37(4)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to extend the duration of a designation. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 39.	Section 39	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to repeal a designation made by Council. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 40 and 41.	Sections 40 and 41	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as an owner of an interest in designated premises, to request a designator to repeal a designation made by the designator on the basis that the designation is causing the owner hardship.	Section 41(1)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to include a note about the making, amendment, extension or repeal of a designation in Council's planning scheme. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 42.	Section 42	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to give an exemption certificate for the development. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 46.	Section 46	12-Dec-2017 Item F2	



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Planning Act 2016					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
18.	Chief Executive Officer	Power to act as the "assessment manager" for all development applications, change representations, cancellation applications and extension applications received by Council under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of an assessment manager and consider all matters as detailed in sections 48, 51, 53, 54, 59, 60, 61, 62, 63, 64, 65, 67, 71, 75, 76, 84, 85, 86, 87, 93, 100, 101, 105, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 48, 51, 53, 54, 59, 60, 61, 62, 63, 64, 65, 67, 71, 75, 76, 84, 85, 86, 87, 93, 100, 101, 105, 107 and 109	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to keep a list of persons who are appropriately qualified to be an assessment manager in relation to a particular type of development.	Section 48(3)(b)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to enter an agreement with a person on Council's list of persons who are appropriately qualified to be an assessment manager in relation to a particular type of development.	Section 48(3)(d)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as the owner of premises, to give written consent to the making of the development application.	Section 51(2)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to act as a "referral agency" for all development applications and cancellation applications received by Council as a referral agency under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a referral agency and consider all matters as detailed in sections 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to consult with the Minister about making or amending the instrument mentioned in subsection (8)(c).	Section 64(9)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to act as a "responsible entity" for all change applications received by Council as a responsible entity under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a responsible entity and consider all matters as detailed in sections 79, 80, 81, 82, 83, 93, 100, 105, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 79, 80, 81, 82, 83, 93 and 100, 105, 107 and 109	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to act as an "affected entity" for all change applications received by Council as an affected entity under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of an affected entity and consider all matters as detailed in section 80 of the <i>Planning Act 2016</i> .	Section 80	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as the owner of land, to give written consent to the cancellation application.	Section 84(3)(b)(i)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, as a public utility, to give written consent to the cancellation application.	Section 84(3)(b)(iii)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, as the owner of land, to give written consent to the extension application.	Section 86(2)(b)(ii)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to note an approval referred to in subsection (1) on Council's planning scheme and give notice of the approval to the chief executive.	Section 89	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to comply with a direction given by the Minister.	Section 93(2)	12-Dec-2017 Item F2	

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Planning Act 2016					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
31.	Chief Executive Officer	Power to make submissions in response to a proposed call in notice received by Council.	Section 102	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as the decision-maker, to give the Minister reasonable help.	Section 105(3)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as a participating local government for a distributor-retailer, to enter a break-up agreement about the charges break-up and publish a copy of the agreement on the local government's website.	Section 115	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to carry out the steps required after making a charges resolution.	Section 118	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to give an infrastructure charges notice. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 119, 120, 121 and 129.	Sections 119, 120, 121 and 129	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, as a local government that gave an infrastructure charges notice, to agree with the recipient about:- (a) whether the levied charge may be paid other than as required under section 122, including whether it may be paid by instalments; and/or (b) whether infrastructure may be provided instead of paying all or part of the levied charge.	Section 123	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as a local government, to consider representations made on an infrastructure charges notice and, issue a negotiated notice or give a decision notice.	Section 125	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as a local government with a LGIP that identifies adequate trunk infrastructure to service the subject premises, to impose a development condition requiring either or both of the following to be provided at a stated time: (a) the identified infrastructure; and/or (b) different trunk infrastructure delivering the same desired standard of service.	Section 128(1)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as a local government with a LGIP that does not identify adequate trunk infrastructure to service the subject premises, to impose a development condition requiring development infrastructure necessary to service the premises to be provided at a stated time.	Section 128(2)	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as a local government, to impose an extra payment condition. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 130, 131, 132, 133, 134 and 135.	Sections 130, 131, 132, 133, 134 and 135	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power in the circumstances referred to in subsection (1) to, by notice given to the applicant, amend the infrastructure charges notice.	Section 137	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as a local government, to consider and decide a conversion application. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 140, 141 and 142	Sections 140, 141 and 142	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, as a local government, to agree with an applicant that a levied charge, for the purpose of its recovery, is not taken to be rates.	Section 144(2)	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as a local government, to impose a development condition about non-trunk infrastructure.	Section 145	12-Dec-2017 Item F2	



Planning Act 2016					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
45.	Chief Executive Officer	Power in the circumstances referred to in subsection (1) to:- (a) pay the amount of the levied charge to the State infrastructure provider; and (b) agree with the State infrastructure provider and the person who provided the replacement infrastructure about when the amount of the levied charge will be paid.	Section 149	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power, as a local government, to enter an infrastructure agreement. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in Chapter 4, Part 4.	Chapter 4, Part 4	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power, as an enforcement authority, to give a show cause notice.	Section 167	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power, as an enforcement authority, to give an enforcement notice.	Section 168	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power to consult with a private certifier before giving an enforcement notice.	Section 169	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power to give notice of the giving or withdrawal of an enforcement notice to the chief executive.	Section 170	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power to bring offence proceedings for an offence against the Act.	Section 174	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power to consent to proceedings being brought on behalf of the corporation.	Section 175(1)(a)	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as an enforcement authority, to:- (a) take the action required under the enforcement order; and (b) recover the reasonable cost of taking the action as a debt to the authority from the defendant.	Section 176(10)	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power, as an enforcement authority in an offence proceeding, to apply for an order for the payment of the expenses.	Section 178(1)(b)	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power to the start proceedings in the P&E Court for an enforcement order.	Section 180	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power, as an enforcement authority, to:- (a) take the action required under the enforcement order; and (b) recover the reasonable cost of taking the action as a debt to the authority from the respondent.	Section 180(13)	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power to apply to the P&E Court to cancel or change an enforcement order or interim enforcement order.	Section 181(4)	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power, as an enforcement authority in an offence proceeding, to apply for a disposal order.	Section 214	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power to make a claim for compensation from the State where Council incurs loss because of the exercise, or purported exercise, of a power by or for an inspector.	Section 221	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power as an appellant to start an appeal.	Sections 229(2) and 230	12-Dec-2017 Item F2	



Planning Act 2016					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
61.	Chief Executive Officer	Power as a respondent or co-respondent to be heard in an appeal.	Section 229(4)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power, where an appeal is only about a referral agency's response, to apply to the tribunal or P&E Court to withdraw from the appeal.	Section 229(5)	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power to elect to be a co-respondent in an appeal.	Section 230(6)	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power to start proceedings for a declaration by a tribunal. For avoidance of doubt, the power delegated includes the power to take all actions detailed in sections 239(1), 240 and 241.	Sections 239(1), 240 and 241,	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power to give the registrar information that the registrar reasonably requires for the proceedings.	Section 246(2)	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power to appear as a party to a tribunal proceeding.	Section 248	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power to make submissions to the tribunal.	Section 249	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power to give notice to the Registrar once a tribunal's direction or order has been complied with.	Section 257	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power to give an applicant the planning and development certificate applied for.	Section 265	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power to note the registration of premises on Council's planning scheme.	Section 267(13)	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power, as an owner of premises in an affected area, before entering into a lease of the premises with a person, to give a notice that states :- (a) the premises are in an affected area; and (b) that restrictions may apply to the person in taking proceedings about emissions from registered premises in the affected area.	Section 270	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power to make an amendment of a type specified in subsection (1) by following the process set out in the rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in the rules.	Section 293(5)	12-Dec-2017 Item F2	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.

Planning Regulation 2017					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to extend the period mentioned in subparagraph (a).	Section 12(b)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as an assessment manager, to make the requested decision.	Schedule 11, Section 10(1)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as an assessment manager, to give notice of the decision.	Schedule 11, Section 10(2)	12-Dec-2017 Item F2	



Planning Regulation 2017					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
4.	Chief Executive Officer	Power, as an assessment manager, to give notice of the decision, including the reasons for the decision.	Schedule 11, Section 10(3)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, where the request complies with the criteria stated in section 2, to approve the request.	Schedule 18, Section 3(1)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to give notice of the approval to the person making the request.	Schedule 18, Section 3(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to keep the documents listed in subsection (1) available for inspection and purchase.	Schedule 22, Section 1	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to keep the documents listed in subsection (1) available for inspection only.	Schedule 22, Section 2	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to publish the documents listed in subsections (1) and (4) on Council's website.	Schedule 22, Section 3	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as an assessment manager, to keep the documents listed in subsections (1) and (2) available for inspection and purchase.	Schedule 22, Section 5	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as an assessment manager, to keep the documents listed in subsection (1) available for inspection only.	Schedule 22, Section 6	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as an assessment manager, to publish the documents listed in subsections (1) and (4) on Council's website.	Schedule 22, Section 7	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as a referral agency, to keep the documents listed in subsections (a) to (d) available for inspection and purchase.	Schedule 22, Section 8	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as a referral agency, to keep a register for all development applications and change applications given to the referral agency under section 54 of the Act and to make it available for inspection only.	Schedule 22, Section 9	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as a referral agency, to publish the documents listed in subsections (a) to (d) on Council's website.	Schedule 22, Section 10	12-Dec-2017 Item F2	

Planning and Environment Court Act 2016					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to start a declaratory proceeding.	Section 11(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as the assessment manager, to start a declaratory proceeding for a matter done, to be done or that should have been done in relation to the call in.	Section 12(2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a party to a P&E Court proceeding, to participate in an ADR process.	Section 16	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a party, to confer with the ADR registrar about the way to conduct the P&E Court proceeding.	Section 16(3)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a party to a P&E Court proceeding, to agree to the resolution of all or part of the dispute in an ADR process.	Section 18(1)	12-Dec-2017 Item F2	



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Planning and Environment Court Act 2016					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
6.	Chief Executive Officer	Power, as a party to a P&E Court proceeding who has agreed on resolution of the dispute, to sign the resolution agreement.	Section 18(1)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a party to a P&E Court proceeding, to apply to the P&E Court for an order giving effect to an agreement reached as a result of an ADR process.	Section 20(1)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a party to a P&E Court proceeding, to agree to the ADR registrar disclosing information acquired as part of the ADR process.	Section 21(2)(a)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a party to a P&E Court proceeding for which the ADR registrar is exercising, or has exercised, a power, to apply for a court review.	Section 26(2)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a party to a P&E Court proceeding, to consent in writing to the ADR registrar making an order or direction in the proceeding.	Section 27(1)(a)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to consent to a person starting a declaratory proceeding or a proceeding for an enforcement order under the Planning Act on behalf of Council.	Section 41(2)(a)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to pay the expenses, including legal costs, incurred by the representative in relation to the proceeding.	Section 41(3)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as a party to a P&E Court proceeding, to appeal a decision in the proceeding.	Section 63(1)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to apply to the Court of Appeal for leave to appeal.	Section 64(1)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to file and serve a Notice of Appeal following the granting of leave by the Court of Appeal.	Section 64(2)	12-Dec-2017 Item F2	

Plumbing and Drainage Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to give a copy of a resolution which decides work for which a compliance permit is not required to the chief executive and a distributor-retailer (if applicable) and to make it available for inspection at Council's public office.	Section 83	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to carry out a compliance assessment of plans or work in relation to compliance assessable 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.	Section 84	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a relevant service provider, to give written consent before a compliance permit or certificate is issued.	Section 84(5)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to respond to a compliance request for compliance assessment of a plan for compliance assessable work, including requesting further information, deciding the request, imposing reasonable and relevant conditions and giving or refusing to give the compliance permit.	Section 85	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to give a copy of a compliance permit to: (a) The owner of premises to which a permit relates; and (b) The water services provider, where Council is not the provider, and the work involves the installation of water meters.	Section 85(8)	12-Dec-2017 Item F2	

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Plumbing and Drainage Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
6.	Chief Executive Officer	Power, upon refusal to give a compliance permit or the grant of a compliance permit on conditions, to give the person who made the request an information notice about the decision.	Section 85(10)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to assess and decide all requests for compliance assessment for compliance assessable work according to the provisions of the <i>Plumbing and Drainage Act 2002</i> and <i>Standard Plumbing and Drainage Regulation 2003</i> including giving or refusing to give the compliance certificate..	Section 86	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to decide not to assess 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> .	Section 86(6)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	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.	Section 86(7)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to give a copy of a compliance certificate to: (a) The owner of premises to which the certificate relates; and (b) The water services provider, where Council is not the provider, and the work involves the installation of water meters.	Section 86(10)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power upon refusal to give a compliance certificate to give the person who made the request an information notice about the decision.	Section 86(12)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to ask a person who has completed compliance assessable work in a remote area to supply a plan of the completed work.	Section 86A(3)(b)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to decide a request for compliance assessment of compliance assessable work in a remote area to which a resolution under section 86A(1)(b) applies and to give the compliance certificate or refuse to give the compliance certificate and issue an information notice.	Section 86A(4), (5) and (8)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to give a copy of a compliance certificate for compliance assessable work in a remote area to which a resolution under section 86A(1)(b) to the owner of the premises.	Section 86A(6)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to give a copy of a resolution pursuant to section 86A(1)(b) to the chief executive and to make it available for inspection at Council's public office.	Section 86A(9)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	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.	Section 86D	12-Dec-2017 Item F2	
17.	Chief Executive Officer	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.	Section 86E	12-Dec-2017 Item F2	
18.	Chief Executive Officer	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.	Section 86G	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as a relevant entity, to give the Plumbing Industry Council notice of the completion of notifiable work.	Section 87(3)(a)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to assess notifiable work that has been completed following the giving of a notice pursuant to section 87(3)(a).	Section 87(8)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as a relevant entity, to give a copy of the notice of completion of notifiable work to the owner of the premises where the work was carried out or, if another person asked the relevant entity to carry out the work, the other person.	Section 87(9)	12-Dec-2017 Item F2	

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Plumbing and Drainage Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
22.	Chief Executive Officer	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.	Section 89	12-Dec-2017 Item F2	
23.	Chief Executive Officer	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> .	Section 107(1)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to notify the QBCC commissioner of the appointment of an inspector and to give the commissioner a list of Council's inspectors.	Section 107(2)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	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> .	Section 108	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to issue an identity card to each inspector appointed under section 107 of the <i>Plumbing and Drainage Act 2002</i> .	Section 109	12-Dec-2017 Item F2	
27.	Chief Executive Officer	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> .	Sections 115	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to issue an enforcement notice to the owner of premises requiring the owner to do a stated thing.	Section 116(1)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to issue an enforcement notice to a person who has performed plumbing or drainage work requiring the person to do a stated thing.	Section 116(2)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to give an enforcement notice to the owner or occupier of the premises to install a backflow prevention device.	Section 117(2)(a)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	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> .	Section 117(2)(b)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	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 licenced to do the work.	Section 117(2)(c)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to authorise a person to dismantle or take away all or part of a grey-water treatment plant.	Section 127A	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to authorise a person to dismantle or take away all or part of an on-site sewerage facility.	Section 128	12-Dec-2017 Item F2	
35.	Chief Executive Officer	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.	Section 128OA	12-Dec-2017 Item F2	
36.	Chief Executive Officer	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.	Section 128P(2)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power to approve the disposal of effluent from an on-site sewerage facility that has not been installed only for testing purposes.	Section 128P(4)	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power to keep a copy of each compliance document and make compliance documents available for inspection and purchase.	Section 143	12-Dec-2017 Item F2	

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Plumbing and Drainage Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
39.	Chief Executive Officer	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.	Section 143A	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power to monitor greywater use facilities in Council's local government area.	Section 143B	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power to monitor an on-site sewerage facility installed for testing purposes in sewerred areas in Council's local government area.	Section 143C	12-Dec-2017 Item F2	

Public Health (Infection Control for Personal Appearance Services) Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to administer and enforce the Act for Council's area.	Section 9	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to consider all applications for licences, and determine whether to grant or refuse the application.	Section 33	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to grant an application for a licence only if Council is satisfied— (a) the applicant is a suitable person to hold a licence; and (b) the premises at which the higher risk personal appearance services are to be provided are suitable for providing the services.	Section 34	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to have regard to the matters listed in this section in deciding whether a person is a suitable person to hold a licence.	Section 35	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to have regard to all the matters listed in this section in deciding whether the premises at which higher risk personal appearance services are to be provided are suitable for providing the services.	Section 36	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to make inquiries before making a decision regarding sections 35 and 36 and, by giving notice to the applicant, require the applicant to give Council, within the reasonable time of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide the application.	Section 37	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to impose conditions on a licence.	Sections 38(2) and 41(1)(c)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to decide the earlier ending date of a licence.	Section 40	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to consider all applications for renewals of licences, and determine whether to grant or refuse the application for renewal.	Section 44	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to give a notice to a licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide a licence renewal application.	Section 45	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to consider all applications for amendments to licences, and determine whether to grant or refuse the application to amend the licence.	Section 47	12-Dec-2017 Item F2	



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Public Health (Infection Control for Personal Appearance Services) Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
12.	Chief Executive Officer	Power to give a notice to the licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide an licence amendment application.	Section 48	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to determine whether to grant or refuse the application to transfer the licence by having regard to whether the transferee is a suitable person to hold a licence and whether the premises are suitable for providing higher risk personal appearance services.	Section 49	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to give a notice to the licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide a licence transfer application.	Section 50	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to, for forming a belief that the ground for suspending or cancelling a licence mentioned in subsection (1)(a) exists, have regard to the matters to which Council may have regard in deciding whether a proposed licensee is a suitable person to hold the licence	Section 51(2)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to issue a 'show cause notice'.	Section 52	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to determine whether grounds continue to exist for the suspension or cancellation of a licence after issuing the licensee with a 'show cause' notice, and if so, determine whether to suspend or cancel the licence.	Sections 54 and 55	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to suspend a licence immediately if Council believes— (a) a ground exists to suspend or cancel the licence; and (b) it is necessary to suspend the licence immediately because there is an immediate and serious risk of infection to the licensee's clients.	Section 56	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to consider all applications for a replacement licence, and determine whether to grant or refuse the application for the replacement licence.	Section 62	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to make an agreement with a licensee intending to provide higher risk personal appearance services from mobile premises to allow a lesser period for notification to Council of the licensee's intentions.	Section 65(3)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to, where Council is the second local government for a licence under the Act, notify the first local government where it is reasonable to believe that a mobile licensee or operator has contravened their licence.	Section 68	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to, where Council is the first local government and has been notified by a second local government of their reasonable belief that a mobile license holder or operator has breached their licence conditions, take action under the Act.	Section 69	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to appoint authorised persons.	Section 70	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to apply conditions to an authorised person's powers under the Act by giving the person a signed notice.	Section 72	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to issue an identity card to an authorised person.	Section 74	12-Dec-2017 Item F2	

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Public Health (Infection Control for Personal Appearance Services) Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
26.	Chief Executive Officer	Power to monitor compliance with the Act by having authorised persons inspect places of business in Council's areas and recover monitoring costs from business proprietors.	Section 105	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to charge a business proprietor an inspection fee to check if the remedial notice given by an authorised person acting for Council to the proprietor has been complied with.	Section 110	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to prosecute a business proprietor or operator for the contravention of a relevant provision for which a remedial notice has been issued without an authorised person first issuing a remedial notice for the contravention.	Section 111(7)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to, at any time, extend the time for applying for a review of Council's original decision relating to a licence application.	Section 121(2)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to, upon request, review an original decision and make a determination according to section 122 of the Act.	Part 7, Division 1	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power to, following the conviction of a person of an offence against this Act, apply to the court for an order against the person for the payment of the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 137	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power to deal with a thing forfeited to Council, including destroying the thing.	Section 140	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to commence proceedings against a person who has committed an offence against the Act.	Section 143	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to approve forms to be used in the administration and enforcement of the Act.	Section 147	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to, with regard to an application for registration of premises made under part 15 of the former regulation, assess the suitability of the application and the premises under this Act, and make inquiries and require further information or a document under section 37 of the Act.	Section 153	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to, with regard to an application for renewal of registration of premises made under part 15 of the former regulation, assess the suitability of the applicant and the premises under this Act, and make inquiries and require further information or a document under section 45 of the Act.	Section 154	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power to, with regard to an application for registration or renewal of registration of 2 or more premises to which sections 153(2) and 154(2) apply, issue a single licence to cover all the premises.	Section 155	12-Dec-2017 Item F2	

Public Health Act 2005					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to administer and enforce the Act regarding local government public health risks and a regulation made under section 61 stating that the regulation is to be administered and enforced by local governments only.	Section 13	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as an issuing authority, to apply to a magistrate for an order enforcing a public health order (an enforcement order).	Section 24(2)	12-Dec-2017 Item F2	

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Public Health Act 2005					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
3.	Chief Executive Officer	Power, as an issuing authority, to enter a place to take steps to remove or reduce the risk to public health from the public health risk or prevent the risk to public health from recurring, if ordered by a magistrate.	Section 27(2)(b)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as an issuing authority, to recover the amount, plus interest, a person has been ordered to pay under an enforcement order as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 31	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to lodge a request to register with the registrar of titles, in the appropriate form over the land, an unpaid amount, including interest, that is payable to Council under an enforcement order relating to a public health risk on land owned by a person as a charge on the land.	Section 32	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to consult with the chief executive before the chief executive authorises a prevention and control program which relates to Council's local government area.	Section 36(5)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a water service provider ¹ , to inform the authorised person that Council believes that it has complied with an improvement notice issued under this division.	Section 57B	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to enter into an agreement with the chief executive for the disclosure of confidential information.	Sections 84(1)(b)(i) and (2)(a), 226(1)(b)(i) and (2)(a), 244(1)(b)(i) and (2)(a), and 269(1)(b)(i) and (2)(a)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a person in charge of an education and care service or QEC approved service to take any of the actions mentioned in subsection 160B(1).	Section 160B	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a person in charge of an education and care service or QEC approved service to take any of the actions mentioned in subsection 160C(1).	Section 160C	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as an issuing authority, to enter the place, at reasonable times, to take the steps stated in a public health order where the person has failed to comply the order.	Section 388(2)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as an issuing authority, to give the occupier and owner of a place a notice required under the section, where an authorised person intends to enter the place to take steps required under a public health order.	Section 393(2)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as an issuing authority, to recover the amount payable, including interest, of the reasonable costs and expenses incurred by Council in exercising powers under section 388 or 405 as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 406	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as an issuing authority, to lodge with the registrar of titles, in the appropriate form over the land, a request to register an unpaid amount, including interest, that is payable to Council for steps taken by it on land owned by a person as a charge on the land.	Section 407	12-Dec-2017 Item F2	

¹ Excludes SE Qld Councils



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Public Health Act 2005					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
15.	Chief Executive Officer	Power, as an owner of a thing seized by an authorised person, to inspect the thing and, if it is a document, to copy it.	Section 415	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to apply to the court for an order against a person convicted of an offence against the Act for the payment of the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 443(1)(b)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to deal with a thing forfeited as Council considers appropriate, including destroying the thing.	Section 446	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, as an owner of a thing forfeited to a relevant entity under section 413(1), to appeal against a decision resulting in the forfeiture of the thing.	Section 450	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to recover contribution from a prescribed person.	Section 454B(3)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to comply with the indemnity conditions in relation to each asbestos-related event to which the official conduct relates.	Section 454C(2)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to give notice of the proceeding to the State.	Section 454CA(2)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to ensure each authorised person who exercises powers under the Act in relation to an asbestos-related event has satisfactorily completed the training prescribed by regulation.	Section 454G	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to keep the records prescribed in subsections 454I(1), (2) for each asbestos-related event.	Section 454I	12-Dec-2017 Item F2	

Public Health Regulation 2005					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to administer and enforce Part 1A, Divisions 1, 2 and 3.	Sections 2C, 2M, and 2T	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to approve a site for the disposal of asbestos waste.	Section 2I(2)(c)	12-Dec-2017 Item F2	

Public Interest Disclosure Act 2010					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to: (a) decide not to investigate or deal with a public interest disclosure in certain circumstances; and (b) give written reasons for a decision not to investigate.	Section 30(1) and (2)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to refer a disclosure to another public sector entity in certain circumstances.	Section 31(1) and (2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to give a person making a disclosure, or an entity referring a disclosure, reasonable information about the disclosure.	Section 32(1) and (2)	12-Dec-2017 Item F2	

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Public Record Act 2002

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to make and keep records of Council's activities.	Section 7(1)(a)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to have regard to any relevant policy, standards and guidelines made by the archivist about the making and keeping of public records.	Section 7(2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to ensure the safe custody and preservation of Council's records.	Section 8(1)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to give written notice to the State archivist of the existence of a public record in Council's possession which is more than 25 years old.	Section 10(1)(a)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to give a public record in Council's possession, which is more than 25 years old, to the State archivist.	Section 10(1)(b)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to give a public record in Council's possession, which is 25 years old or less, to the State archivist.	Section 11(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to take action to ensure that a public record remains able to be produced or made available.	Section 14(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to give written notice to the State archivist of a restricted access period for a public record.	Section 16	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power as a responsible public authority to give the State archivist a written notice stating— (i) the public authority has classified a record which has a restricted access period as a record to which unrestricted access is allowed; or (ii) access to a record which has a restricted access period may be given on conditions stated in the notice.	Section 18(2)(b)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power as a responsible public authority to give the State archivist written notice of a change to the restricted access notice for a record.	Section 19(2)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power as a responsible public authority to refer a dispute about a restricted access notice for a public record to the committee.	Section 19(4)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to apply to the State archivist for, or consent to, an authorisation for the disposal of particular public records or classes of public records.	Section 26(1)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to make an arrangement with the State archivist for the storage of public records.	Section 28	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power as a public authority to make a written application to the committee for a review of a decision by made by the archivist refusing to authorise the disposal of particular public records or classes of public records.	Section 39(1)	12-Dec-2017 Item F2	



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Queensland Heritage Act 1992					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to apply to the Chief Executive to have a place entered or removed from the Queensland Heritage Register including all powers authorised or required by Part 4 of the Act for the purpose of making the application and having the place entered in or removed from the Register.	Sections 36, 36A, 43, 46, 48	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to make a heritage submission (including power to agree to a later day for making the submission).	Sections 41 and 42	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to make written representations to the chief executive about the place the subject of an application under Part 4 of the Act.	Section 43	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to make oral representations to the Heritage Council about the recommendation.	Section 46(2)(a)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as the owner, to make a written response to the Heritage Council about the recommendation.	Section 46(2)(b)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as the owner, to consult with the chief executive about a proposed destroyed place recommendation.	Section 46A(1)(c)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to make written representations to the Heritage Council about the place the subject of an application under Part 4 of the Act.	Section 48	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to request and make oral representations to the Heritage Council about the recommendation.	Sections 49 and 50	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as the owner, to give the Council a heritage response to the heritage recommendation.	Section 50A	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as the owner, to agree in writing with the Council on a later day by which the heritage response must be given.	Section 50B(3)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as the owner of a place the subject of a heritage recommendation to agree to extend the day for making the decision.	Section 52	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as the owner of a place, to apply to the chief executive to have the place excluded from entry into the Queensland heritage register as a State heritage place including all powers authorised or required by Part 4 of the Act for the purpose of making the application and having the place excluded.	Section 56B	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as the owner of a place referred to in subsection (1), to give notice to the chief executive before a prescribed application is made for the place.	Section 58	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as the owner of a place in the circumstances referred to in subsections (1) or (3), to advise the chief executive of a development approval and within the relevant period advise the chief executive of the relevant application.	Section 59	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to make a submission about development the State proposes to carry out on a Queensland heritage place.	Section 71	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as a relevant person for a Queensland heritage place, to apply to the chief executive for an exemption certificate to carry out development mentioned in subsection (3) on the place including all powers authorised or required by Part 6, Division 2 to obtain the exemption.	Sections 72 and 73	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to enter into a heritage agreement for a Queensland heritage place and to agree to the changing or ending of a heritage agreement.	Section 80	12-Dec-2017 Item F2	

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Queensland Heritage Act 1992					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
18.	Chief Executive Officer	Power, as owner, to consent to the entering of a heritage agreement for a Queensland heritage place and to agree to the changing or ending of a heritage agreement.	Sections 80(1)(b) and 80(2)(b)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as a party to a heritage agreement, to apply to the Planning and Environment Court for the orders required to secure compliance with the agreement.	Section 82	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power, as the owner of a Queensland heritage place, to comply with a repair and maintenance notice.	Section 84(6)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to give the chief executive notice of the discovery of an archaeological artefact or underwater cultural heritage artefact.	Section 89	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to apply to the chief executive for compensation for a loss suffered because of the exercise of a power under section 92 including all powers authorised or required by Part 9, Division 2 to obtain compensation.	Sections 94 and 95	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to apply to QCAT for an external review of a compensation decision.	Section 98	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to apply to the chief executive for a permit to enter a protected area including all powers authorised or required by Part 10, Division 1 to obtain the permit.	Sections 105 and 106	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to respond to a show cause notice in relation to a proposal to cancel a permit to enter a protected area.	Section 110	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to appeal to the Planning & Environment Court in relation to those matters listed in subsection (1).	Section 111	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power as a local government to keep a local heritage register for its area including all powers authorised or required by Part 11, Divisions 1, 1A, 2, 3 and 5, other than section 119, to keep the register. Note: that Part 11 does not apply to those local governments identified in section 199.	Sections 112, 112B, 113, 114, 116, 117, 118, 120, 122	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, as a person identified in subsection (1), to appeal to the Planning & Environment Court against the decision.	Section 161	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as a local government, to provide any information or assistance that the Minister or chief executive reasonably requires for the purposes of the Act.	Section 165	12-Dec-2017 Item F2	

Queensland Reconstruction Authority Act 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to request the Minister to declare a project for proposed development to be a declared project.	Section 42(5)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to agree about the declaration of acquisition land.	Section 43(7)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to request the Minister to declare a part of the State to be a reconstruction area and/or acquisition land.	Section 43(8)	12-Dec-2017 Item F2	

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Queensland Reconstruction Authority Act 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
4.	Chief Executive Officer	Power, as a decision-maker for a prescribed decision, to comply with a progression notice given by the authority.	Section 49	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a decision-maker for a prescribed decision, to comply with a notice to decide given by the authority.	Section 50	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a decision-maker for a prescribed decision, to give the authority all reasonable assistance or materials it requires.	Section 53(1)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a decision-maker for a prescribed decision, to give the authority a written report containing the information prescribed in subsection 53(2).	Section 53(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to give the authority a written recommendation to impose a condition for infrastructure.	Section 53(4)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a referral agency for a relevant application, to assess the application having regard to the development scheme and give the weight considered appropriate to any amendment or replacement of the development scheme.	Sections 80(2) and 80(6)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as an assessment manager for a relevant application, to assess the application against the matters stated in the development scheme as assessment benchmarks for the Planning Act and give the weight considered appropriate to any amendment or replacement of the development scheme.	Sections 80(3) and 80(6)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a responsible entity for a change application, to assess the application against the development scheme and give the weight considered appropriate to any amendment or replacement of the development scheme.	Section 81	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as an assessment manager, to comply with the requirements under the Planning Act about giving public access to development approvals, as if the notice were a development approval.	Section 92(3)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to request the Minister to direct the local government to take particular action about a local planning instrument.	Section 111(2)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to make submissions to the Minister about a proposal to direct the local government to take particular action about a local planning instrument.	Section 111(3)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to comply with a direction of the Minister given under section 112.	Section 112	12-Dec-2017 Item F2	

Residential Services (Accreditation) Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE OF DELEGATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	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.	Section 29(1) and (3)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, where a building complies with the prescribed building requirements, to issue a building compliance notice.	Section 29(1) and Schedule 2	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to approve the form to be used for an application under section 29(1) <i>Residential Services (Accreditation) Act 2002</i> .	Section 29(2)(a)	12-Dec-2017 Item F2	

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Residential Services (Accreditation) Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE OF DELEGATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
4.	Chief Executive Officer	Power, where a building does not comply with the prescribed building requirements, to give notice of the decision stating those matters required by section 29(4).	Section 29(4) and Schedule 2	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to issue a notice stating the extent to which the premises comply with the prescribed building requirements.	Section 189(3)(a)	12-Dec-2017 Item F2	

Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Powers to give a prospective tenant for a residential tenancy the documents prepared for section 61 (the written residential tenancy agreement).	Section 58(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to prepare a residential tenancy agreement in the way required by section 61.	Section 61	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to give to the tenant a residential tenancy agreement prepared for section 61 for signing.	Section 62(1)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to sign a residential tenancy agreement signed by the tenant and to return a copy signed by both parties to the tenant.	Section 62(3)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to apply to a tribunal if the Council as lessor reasonably believes the tenant has contravened section 62(2).	Section 64(3)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to prepare, in the approved form, a condition report for premises and any inclusions, to sign the report, and to give a copy of the report to the tenant.	Section 65(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to sign the copy of a condition report received from the tenant at the end of the tenancy or, if not agree with the report, to show the parts of the report that are disagreed with by marking the copy in an appropriate way, and to make a copy of the report and return it to the tenant at the tenant's given forwarding address.	Section 66(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to give to a tenant an information statement in the approved form containing information for the benefit of the tenant, by the period specified in section 67.	Section 67	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to give to the tenant a copy of the park rules in a moveable dwelling park and a copy of the rules as changed.	Section 68(2)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to give a tenant a copy of bylaws applicable to the occupation of premises under the <i>Body Corporate and Community Management Act 1997</i> or <i>Building and Group Titles Act 1980</i> .	Section 69	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to prepare a rooming accommodation agreement in the way required by section 77.	Section 77	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to give the document prepared for section 77 to the resident for signing.	Section 78(1)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to sign a rooming accommodation agreement signed by the resident and to return a copy signed by both parties to the resident.	Section 78(2)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to prepare, in the approved form, a condition report for the room and the facilities in the room, to sign the report and to give a copy of the report to the resident.	Section 81(1)	12-Dec-2017 Item F2	

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Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
15.	Chief Executive Officer	Power to give the tenant a written notice stating an approved way, or a different approved way, as the way in which rent is required, or is proposed, to be paid.	Section 83(3)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to agree in writing to payments of rent being made in the way stated in a written notice received from the tenant.	Section 83(3)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to give the tenant a written notice that gives the tenant a choice of at least 2 approved ways for payment of rent under section 83(4)(a) to (f) and advises about costs associated with the approved way.	Section 84(2)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to give a written notice stating a place, or a different place, as the place at which rent is required to be paid.	Section 85(2)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to give and sign a receipt for payment of rent.	Section 88	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to make a written record of the payment of rent.	Section 88(5)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to give written notice of a proposal to increase rent for a periodic agreement or a fixed term agreement during the term of the agreement.	Section 91(2)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to give a written notice stating an approved way, or a different approved way, to pay rent under a rooming accommodation agreement.	Section 98(3)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to agree in writing to payments of rent under a rooming accommodation agreement being made in the way stated in a written notice given by a resident.	Section 98(3)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to give a resident a written notice for the payment of rent that gives the resident a choice of at least 2 approved ways and advises about costs associated with the approved ways.	Section 99(2)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to give a written notice stating a place, or a different place, as the place where rent is required to be paid.	Section 100(2)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to give a receipt for the payment of rent.	Section 102	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to make a written record of the payment of rent paid.	Section 102(5)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to give a written notice stating the amount of increased rent under a rooming accommodation agreement and the day from which the increased rent is payable.	Section 105(3)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to agree on the amount and time for the decrease of rent for matters including loss of amenity or service.	Section 106	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to agree to a reduction in rent because of the resident's absence.	Section 107	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power to pay a rental bond to the Residential Tenancies Authority and to give the Authority a notice, in the approved form, about the rental bond.	Section 116(1)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	If rental bond instalments are payable under a residential tenancy agreement, the power to pay the rental bond to the Residential Tenancies Authority once all rental bond instalments have been received and to give the Authority a notice, in the approved form about the instalments.	Section 117	12-Dec-2017 Item F2	

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Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
33.	Chief Executive Officer	If rental bond instalments are payable under a rooming accommodation agreement, the power to pay the rental bond to the Residential Tenancies Authority once all rental bond instalments have been received or within 3 months after receiving the rental bond instalment, and to give the authority a notice, in the approved form about the instalments.	Section 118	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power to pay to the Residential Tenancies Authority an amount equal to the maximum rental bond for the agreement if financial protection against breach of the agreement by the tenant is given to Council.	Section 119	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to apply to the Residential Tenancies Authority for payment of a rental bond.	Section 125	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to make a dispute resolution request to the Residential Tenancies Authority about an application for payment of a rental bond.	Section 136	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power to apply to a tribunal for an order about the payment of a rental bond and give the residential tenancy authority a written notice informing it of the application.	Sections 136(3) (c)(iv)(A) or Section 136(4) (c)(iv)(A)	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power to give the Residential Tenancies Authority a written application requesting it to extend the 7 day period by not more than 3 days.	Section 136(5)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power to withdraw an application to the Residential Tenancies Authority for the payment of a rental bond.	Section 140	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power to sign and give a receipt for a rental bond.	Section 145	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power to give written notice to the tenant to increase the rental bond if the rent payable under the agreement increases.	Section 154	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power to apply to a tribunal disputing the amount being treated as a rental bond.	Section 155(3)	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power to require a prospective tenant to pay a key deposit.	Section 156	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power to give a receipt for a key deposit that was paid by a prospective tenant.	Section 157	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power to refund a key deposit in full when the key is returned.	Section 158	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power to require a prospective tenant to pay a holding deposit for a tenancy of premises.	Section 159	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power to give a receipt for a holding deposit.	Section 160	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power to refund the holding deposit to the prospective tenant within 3 days after notification that the prospective tenant intends not to exercise the option.	Section 161(2)	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power to agree a reduced rent amount attributable to a service or facility becoming unavailable for use by the tenant.	Section 168(3)	12-Dec-2017 Item F2	

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Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
50.	Chief Executive Officer	Power to give a written statement to the tenant showing each service or facility for which an amount of rent is attributable and the amount attributed to the service or facility.	Section 168(4)	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power to apply to a tribunal for a decision about: (a) the amount of the lessor's outgoings for a service charge payable by the tenant; or (b) the amount of the reduced rent payable under the agreement because a service or facility ceases to be available for use by the tenant.	Section 169(2)	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power to enter premises on a ground specified in section 192(1), to take all steps necessary to allow for the entry, and to exercise all the powers of Council upon making the entry.	Sections 192, 193, 194, 195, 196, 197, 198, 199	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power to apply to a tribunal to enter the premises under order of the tribunal, and to comply with the rules of entry as changed by the tribunal.	Section 201	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power to ask the tenant the tenant's name or place of employment.	Section 205	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power to ask the tenant in writing to state the tenant's new residential address.	Section 205(2)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power to give a written notice to the tenant stating the lessor's and/or the lessor's agent's name and address for service including any change of such details.	Section 206	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power to agree to the tenant attaching a fixture or making a structural change to the premises including the power to set the terms upon which the agreement is given.	Sections 207 and 208	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power to waive the breach by a tenant attaching a fixture or making a structural change to the premises without the lessor's agreement and to treat the fixture or change as an improvement to the premises for the lessor's benefit.	Section 209	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power to supply and maintain the locks and keys that are necessary to ensure the premises are reasonably secure.	Section 210	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power to change a lock to the premises or to agree to the tenant changing a lock to the premises.	Section 211	12-Dec-2017 Item F2	
61.	Chief Executive Officer	Power to agree to not being given a key for a lock to the premises changed by the tenant.	Section 211(1)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power to apply to a tribunal about a lock or key for the premises.	Section 213(1)	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power to nominate a nominated repairer and to provide written notice to the tenant stating the nominated repairer and to give written notice of any change in a nominated repairer.	Section 216	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power to apply to a tribunal for an order about the reimbursement or payment of an amount for emergency repairs to the tenant.	Section 220(2)	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power to give a notice to relocate to another site in the moveable dwelling park to the tenant.	Section 223	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power to apply to a tribunal for an order about the relocation of a tenant to another site in the moveable dwelling park.	Section 227	12-Dec-2017 Item F2	

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Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
67.	Chief Executive Officer	Power to make rules about the use, enjoyment, control and management of a moveable dwelling park owned by Council.	Section 228	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power to give a notice proposing a change to a park rule to residents of the park.	Section 229	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power as an owner of a moveable dwelling park to set up a park liaisons committee to consider objections received to the proposal to change a park rule.	Section 231	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power to be Council's nominee on the park liaison committee.	Section 231(3) (b)	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power to give a non-resolution notice to each of the objectors objecting to a change of a park rule.	Section 231(6)	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power to apply to a tribunal for an order declaring the proposal to change a park rule to be reasonable or unreasonable.	Section 233(2)	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power to agree in writing to the transfer or subletting of the tenant's interest under an agreement.	Section 237(2)	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power to agree in writing to the transfer or subletting of all or a part of the tenant's interests under the agreement.	Section 238(2) (a)	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power to require the tenant to pay an amount equivalent to the reasonable expenses incurred by the lessor in agreeing to the transfer or subletting.	Section 240	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power to require a tenant to pay a fee for the sale or attempted sale of a caravan on the premises.	Section 241(2)	12-Dec-2017 Item F2	
77.	Chief Executive Officer	Power to give a written notice of a tenancy to a buyer to whom Council proposes to transfer the Council's interests in the premises.	Section 242(1) (a)	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power to give a written notice of the transfer (the attornment notice) to the tenant if the lessor's interest is transferred.	Section 242(1) (b)	12-Dec-2017 Item F2	
79.	Chief Executive Officer	Power to be heard on an application by a person occupying the premises to be recognised as a tenant under an agreement.	Section 243(7)	12-Dec-2017 Item F2	
80.	Chief Executive Officer	Power to be heard before a tribunal on an application by a person to be recognised as the tenant or a co-tenant under an agreement instead of the person's domestic associate.	Section 245(8)	12-Dec-2017 Item F2	
81.	Chief Executive Officer	Power to be heard before a tribunal on the application of an occupant for an order to be recognised as the tenant, or a co-tenant under an agreement instead of the tenant or co-tenant.	Section 246(6)	12-Dec-2017 Item F2	
82.	Chief Executive Officer	Power to agree about cleaning common areas for a common area used by the resident and a minority of other residents of the provider.	Section 247(2)	12-Dec-2017 Item F2	
83.	Chief Executive Officer	Power to give a written notice to the resident stating the provider's name and address for service or the provider's agent's name and address for service and a notice detailing any changes to those details.	Section 248(1)	12-Dec-2017 Item F2	
84.	Chief Executive Officer	Power to supply and maintain the locks that are necessary to ensure the resident's room is reasonably secure.	Section 250(1)	12-Dec-2017 Item F2	
85.	Chief Executive Officer	Power to agree to change or repair a lock at the request of a resident.	Section 251	12-Dec-2017 Item F2	

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Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
86.	Chief Executive Officer	Power to apply to a tribunal for an order relating to a lock or key mentioned in section 250.	Section 252	12-Dec-2017 Item F2	
87.	Chief Executive Officer	Power to agree to the resident attaching a fixture, or making a structural change, to rental premises including setting the terms of the agreement.	Section 254 and 255	12-Dec-2017 Item F2	
88.	Chief Executive Officer	Power to waive a breach by a resident who attaches a fixture or makes a structural change to rental premises without the provider's agreement, or to treat the fixture or change as an improvement to the rental premises for the provider's benefit.	Section 256(1)	12-Dec-2017 Item F2	
89.	Chief Executive Officer	Power to enter a resident's room, for any reason, if the resident agrees.	Section 257(1)	12-Dec-2017 Item F2	
90.	Chief Executive Officer	Power to enter a resident's room, at a reasonable time, to inspect the room and to give notice of the entry.	Section 258(1)	12-Dec-2017 Item F2	
91.	Chief Executive Officer	Power to give at least 24 hours prior written notice of a proposed entry to a resident's room for a purpose mentioned in the section.	Section 259	12-Dec-2017 Item F2	
92.	Chief Executive Officer	Power to enter a resident's room without notice for one of the reasons set out in section 260.	Section 260	12-Dec-2017 Item F2	
93.	Chief Executive Officer	Power to make an application to a tribunal for an order to enter the resident's room, which entry may be subject to rules of entry as changed by the tribunal.	Section 264	12-Dec-2017 Item F2	
94.	Chief Executive Officer	Power to make house rules for rental purposes for any of the matters specified in section 268(1).	Section 268(1)	12-Dec-2017 Item F2	
95.	Chief Executive Officer	Power to give a written notice of proposed rule change for rental premises.	Section 270(1)	12-Dec-2017 Item F2	
96.	Chief Executive Officer	Power to give a written notice withdrawing the proposed rule change.	Section 271	12-Dec-2017 Item F2	
97.	Chief Executive Officer	Power to give a written notice to residents stating that at least the prescribed number of residents have objected to the rule change and that the proposed change will not take effect on the proposed commencement date.	Section 272(4)(b)	12-Dec-2017 Item F2	
98.	Chief Executive Officer	Power to apply to a tribunal for an order declaring the proposed rule change to be reasonable.	Section 273(2)	12-Dec-2017 Item F2	
99.	Chief Executive Officer	Power to give a written notice of the tribunal's decision regarding an application under section 273 to each resident of the rental premises.	Section 273(7)	12-Dec-2017 Item F2	
100.	Chief Executive Officer	Power to give a written notice of the tribunal's decision on an application by a resident for an order declaring an existing house rule to be unreasonable to each resident of the rental premises.	Section 274(7)	12-Dec-2017 Item F2	
101.	Chief Executive Officer	Power to give a person a copy of the house rules for the premises.	Section 275	12-Dec-2017 Item F2	
102.	Chief Executive Officer	Power to display a copy of the house rules at a place in the rental premises where it is likely to be seen by the residents.	Section 276	12-Dec-2017 Item F2	
103.	Chief Executive Officer	Power to end a residential tenancy agreement by written agreement with the tenant.	Section 277(2)	12-Dec-2017 Item F2	

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Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
104.	Chief Executive Officer	Power to give a notice to leave the premises to the tenant.	Section 277(3)	12-Dec-2017 Item F2	
105.	Chief Executive Officer	Power to agree with the tenant's personal representative or relative on a day for the residential tenancy agreement to end.	Section 277(7) (c)	12-Dec-2017 Item F2	
106.	Chief Executive Officer	Power to give a tenant a notice to remedy breach.	Section 280	12-Dec-2017 Item F2	
107.	Chief Executive Officer	Power to give a notice to leave the premises to a tenant because of any of the reasons set out in sections 281 to 291 (inclusive).	Section 281(1), 282(1), 283(2), 284(1), 285(2), 286(1), 287(2), 288(1), 289(2), 290(2), 290A(1) and 291(1)	12-Dec-2017 Item F2	
108.	Chief Executive Officer	Power to apply to a tribunal for a termination order because of any of the reasons set out in sections 293 to 297A (inclusive).	Sections 293, 294, 295, 296, 296A, 297, 297A, 298 and 299	12-Dec-2017 Item F2	
109.	Chief Executive Officer	Power to apply to a tribunal for an interim order to restrain tenant from causing further damage or injury.	Section 300	12-Dec-2017 Item F2	
110.	Chief Executive Officer	Power to remedy a lessor's breach following receipt of a notice to remedy breach from the tenant.	Section 303	12-Dec-2017 Item F2	
111.	Chief Executive Officer	Power to withdraw a notice to leave for unremedied breach.	Section 333(1)	12-Dec-2017 Item F2	
112.	Chief Executive Officer	Power to agree to the tenant withdrawing a notice of intention to leave the premises.	Section 334(2)	12-Dec-2017 Item F2	
113.	Chief Executive Officer	Power to apply to the tribunal for a termination order without giving a notice to leave the premises to the tenant.	Section 335(1)	12-Dec-2017 Item F2	
114.	Chief Executive Officer	Power to give an abandonment termination notice to the tenant terminating the agreement.	Section 355(1)	12-Dec-2017 Item F2	
115.	Chief Executive Officer	Power to apply to a tribunal for an order about the abandonment by the tenant of the premises.	Section 357(1)	12-Dec-2017 Item F2	
116.	Chief Executive Officer	Power to apply to a tribunal for an order requiring the tenant to pay compensation for the tenant remaining in possession and an occupation fee.	Section 358	12-Dec-2017 Item F2	
117.	Chief Executive Officer	Power to apply to a tribunal for an order for compensation following the giving of an abandonment termination notice.	Section 359	12-Dec-2017 Item F2	
118.	Chief Executive Officer	Power to take all reasonable steps to mitigate loss or expense incurred because of the matters set out in section 362(1).	Section 362	12-Dec-2017 Item F2	

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Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
119.	Chief Executive Officer	Power to sell tenant's goods left on premises or dispose of them in another way.	Sections 363(2) and 363(4)	12-Dec-2017 Item F2	
120.	Chief Executive Officer	Power to pay any balance from the sale of goods of a former tenant to the public trustee.	Sections 363(8)	12-Dec-2017 Item F2	
121.	Chief Executive Officer	Power to apply to a tribunal for an order for an entitlement to receive an amount in the fund kept under the <i>Public Trustee Act 1978</i> .	Section 363(10)	12-Dec-2017 Item F2	
122.	Chief Executive Officer	Power to give documents left on the premises in the ways prescribed under section 364.	Section 364	12-Dec-2017 Item F2	
123.	Chief Executive Officer	Power to agree with a resident, by written agreement, to end a rooming accommodation agreement.	Section 366(2)	12-Dec-2017 Item F2	
124.	Chief Executive Officer	Power to end a rooming accommodation agreement by giving a notice under Part 2.	Section 366	12-Dec-2017 Item F2	
125.	Chief Executive Officer	Power to agree with a resident's personal representative or relative on a day for a rooming accommodation agreement to end.	Section 366(7)(c)	12-Dec-2017 Item F2	
126.	Chief Executive Officer	Power to apply to a tribunal for an order deciding the day a rooming accommodation ends due to the death of a sole resident.	Section 366(7)(d)	12-Dec-2017 Item F2	
127.	Chief Executive Officer	Power to give a resident notice requiring the resident to remedy a breach of a rooming accommodation agreement.	Section 368(2)	12-Dec-2017 Item F2	
128.	Chief Executive Officer	Power to give a resident a notice requiring the resident to leave the rental premises because of failure to remedy breach.	Section 369(1)	12-Dec-2017 Item F2	
129.	Chief Executive Officer	Power to withdraw a notice requiring the resident to leave the rental premises because of failure to remedy breach.	Section 369(5)	12-Dec-2017 Item F2	
130.	Chief Executive Officer	Power to give a written notice requiring the resident to leave the rental premises immediately because of a serious breach.	Section 370(1)	12-Dec-2017 Item F2	
131.	Chief Executive Officer	Power to give a resident a notice requiring the resident to leave the rental premises if premises destroyed etc.	Section 371	12-Dec-2017 Item F2	
132.	Chief Executive Officer	Power to give a notice terminating a periodic or fixed term agreement without ground.	Section 372	12-Dec-2017 Item F2	
133.	Chief Executive Officer	Power to give a resident a notice requiring the resident to leave the premises if resident's employment ends or entitlement to occupy under employment ends.	Section 374(1)	12-Dec-2017 Item F2	
134.	Chief Executive Officer	Power to use necessary and reasonable force to remove a resident and the resident's property from rental premises if the resident refuses to leave the premises and the circumstances specified in section 375(1) apply.	Section 375(2)	12-Dec-2017 Item F2	
135.	Chief Executive Officer	Power to apply to a tribunal for a termination order for repeated breaches by resident.	Section 376(2)	12-Dec-2017 Item F2	
136.	Chief Executive Officer	Power to apply to a tribunal for an order terminating a fixed term agreement because of excessive hardship.	Section 377(1)	12-Dec-2017 Item F2	
137.	Chief Executive Officer	Power to remedy a provider's breach following receipt of a notice requiring remedy of breach from the resident.	Section 378	12-Dec-2017 Item F2	

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Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
138.	Chief Executive Officer	Power to apply to the tribunal for a termination order without giving a notice to leave the rental premises to the resident.	Section 388(1)	12-Dec-2017 Item F2	
139.	Chief Executive Officer	Power to make reasonable efforts to contact a former resident about property left at the rental premises.	Section 392(2)	12-Dec-2017 Item F2	
140.	Chief Executive Officer	Power to deal with personal document or money in the ways stated in the section.	Section 392	12-Dec-2017 Item F2	
141.	Chief Executive Officer	Power to sell property left at the rental premises that is not a personal document or money, or to dispose of it in another way.	Sections 393(2), 393(4) and 393(5)	12-Dec-2017 Item F2	
142.	Chief Executive Officer	Power to apply the proceeds from the sale of property under section 393 in the ways stated in the section.	Sections 393(7)	12-Dec-2017 Item F2	
143.	Chief Executive Officer	Power to apply to a tribunal to make an order conferring an entitlement to receive funds paid to the public trustee under section 392 or section 393.	Section 395(4)	12-Dec-2017 Item F2	
144.	Chief Executive Officer	Power to make a dispute resolution request to the Residential Tenancies Authority and to take all steps necessary to participate in the conciliation, withdraw from a conciliation and agree to the terms of a conciliation agreement.	Sections 402, 404, 405, 406, 408 and 410	12-Dec-2017 Item F2	
145.	Chief Executive Officer	Power to make an application to the tribunal for an order declaring that a stated agreement is, or is not, a residential tenancy agreement or a rooming accommodation agreement to which the Act applies.	Section 418	12-Dec-2017 Item F2	
146.	Chief Executive Officer	Power to apply to a tribunal for an order about a breach of a term of a residential tenancy agreement or a rooming accommodation agreement.	Section 419(2)	12-Dec-2017 Item F2	
147.	Chief Executive Officer	Power to apply to a tribunal for an order about a disputed ground stated in a notice to remedy breach or notice of intention to leave premises given to Council as the lessor by the tenant (other than a notice of intention to leave without ground).	Section 424(1)	12-Dec-2017 Item F2	
148.	Chief Executive Officer	Power to apply to a tribunal for an order about a disputed ground stated in a notice to remedy breach or a notice of intention to leave premises (other than a notice of intention to leave without ground).	Section 425(2)	12-Dec-2017 Item F2	
149.	Chief Executive Officer	Power to apply to a tribunal for an order about a general dispute between parties to a residential tenancy agreement or rooming accommodation agreement.	Section 429(1)	12-Dec-2017 Item F2	
150.	Chief Executive Officer	Power to be heard before the tribunal on an application regarding a dispute between cotenants or coresidents about a rental bond for an agreement.	Section 430(2)	12-Dec-2017 Item F2	
151.	Chief Executive Officer	Power to claim compensation for a loss or expense incurred because of the exercise or purported exercise of a power under Chapter 7, Part 2.	Section 449	12-Dec-2017 Item F2	
152.	Chief Executive Officer	Power to apply to a tribunal for an order excluding a person from a moveable dwelling park because of the person's behaviour in the park.	Section 455(1)	12-Dec-2017 Item F2	
153.	Chief Executive Officer	Power to list a person on a tenancy database in the circumstances referred to in section 459(1) and for the reasons prescribed under a regulation.	Section 459(1)	12-Dec-2017 Item F2	
154.	Chief Executive Officer	Where Council is a community housing provider as defined by section 527B, power to give written notice to the tenant to give an acceptable behaviour agreement undertaking.	Section 527D	12-Dec-2017 Item F2	

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Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
155.	Chief Executive Officer	Where Council is a community housing provider, power to apply to the tribunal for a termination order relating to either a failure to enter into acceptable behaviour agreement or a serious or persistent breach of acceptable behaviour agreement.	Section 527E	12-Dec-2017 Item F2	

Right to Information Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to disclose information under a publication scheme, without limiting another way Council may disclose information.	Section 22	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to give access to a document created after the application is received but before notice is given under section 54.	Section 27(2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to search for a document from a backup system if Council considers the search appropriate.	Section 29(2)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access application.	Section 30(5)(b)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	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.	Section 35	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to make an agreement with the applicant to extend the prescribed period.	Section 36(7), "prescribed period"	12-Dec-2017 Item F2	
7.	Chief Executive Officer	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 relevant third party) 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.	Section 37 (1)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	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.	Section 37(3) (b)	12-Dec-2017 Item F2	

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Right to Information Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
9.	Chief Executive Officer	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.	Section 38(2)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to deal with an access application even if this Act provides that the Council may refuse to deal with the application.	Section 39(3)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to refuse to deal with the access application without having identified any or all of the documents if— (a) 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 (b) it appears to Council that all of the documents to which the application relates are comprised of exempt information.	Section 40	12-Dec-2017 Item F2	
12.	Chief Executive Officer	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.	Section 41(1)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to make an agreement with an applicant to extend the prescribed consultation period.	Section 42(6)(b)	12-Dec-2017 Item F2	

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Right to Information Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
14.	Chief Executive Officer	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 that 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).	Section 43(3)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to refuse access to a document of the Council.	Section 47(3)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to decide whether disclosure of a document would, on balance, be contrary to the public interest	Sections 48(1), 49(1), 50(1), and 51(1)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	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.	Section 48(3)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	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.	Section 49(5)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	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.	Section 50(4)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	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.	Section 51(3)	12-Dec-2017 Item F2	



Right to Information Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
21.	Chief Executive Officer	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.	Section 52(1)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	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.	Section 55 (2) and (3)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	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.	Section 64(1)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to give access to a document in one or more of the prescribed forms in section 68(1).	Section 68(1)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	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).	Section 68(4)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to give access to a document in another form agreed to by the applicant	Section 68(8)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to allow an additional period during which a person may access a document.	Section 69(2)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	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.	Section 72(1)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	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.	Section 73	12-Dec-2017 Item F2	
30.	Chief Executive Officer	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.	Section 74	12-Dec-2017 Item F2	
31.	Chief Executive Officer	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.	Section 75	12-Dec-2017 Item F2	



Right to Information Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
32.	Chief Executive Officer	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).	Section 76(2)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	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.	Section 76(3)	12-Dec-2017 Item F2	
34.	Chief Executive Officer ²	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.	Section 77(2)	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to— (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 (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.	Section 78A	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to apply to the information commissioner to participate in an external review if Council is affected by the decision the subject of the external review.	Section 89(2)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power to apply to the information commissioner to allow Council further time to deal with the access application which has become the subject of an application for an external review concerning a deemed decision in relation to an access application.	Section 93(1)	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as a participant in an external review, to apply to the information commissioner to correct an error in a written decision of the commissioner.	Section 111(2)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as a participant in an external review, to make a request to the information commissioner to refer a question of law arising on an external review to the Queensland Civil and Administrative Tribunal.	Section 118 (1)	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as a participant in an external review, to appeal to the appeal tribunal against a decision of the information commissioner on the external review.	Section 119	12-Dec-2017 Item F2	
41.	Chief Executive Officer	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)	12-Dec-2017 Item F2	

² The note following this subsection provides: "Only a [chief executive officer]... may give this direction or approve the applicant's nominated healthcare professional – see section 30(5)..."



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River Improvement Trust Act 1940					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to, either singly or jointly, apply to the Minister for the establishment, change or abolition of a river improvement trust area.	Section 3(3)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to appoint a councillor to a river improvement trust.	Sections 5(1)(a), 5(1A)(a) and 5(2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to decide the term of appointment for a councillor appointed pursuant to subsection (1)(a) or (2).	Section 5(3)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to appoint a councillor to a river improvement trust where the office becomes vacant.	Section 5A(1)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to comply with a notice from the Minister requiring Council to appoint a councillor to a vacant office.	Section 5A(2)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to give the Minister the local government's views on the recommendation of an appointment to the Governor in Council.	Section 5A(5B)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to remove a person from office as a member of a trust.	Section 5K	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to consent for the trust to appoint the chief executive officer to be its secretary.	Section 6(1A)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to enter into a written arrangement with a trust to use the accounts and the accounting systems of Council.	Section 12A	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to pay to the trust the amount of revenue estimated by the trust in the budget adopted by it for such year.	Section 14A(1A)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to negotiate and agree for each financial year the amount to contribute to the trust and to pay the amount to the trust.	Section 14A(1B)	12-Dec-2017 Item F2	

Safety in Recreational Water Activities Act 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a person who conducts a business or undertaking that provides recreational water activities, to ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business has occurred.	Section 29	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a person conducting a business or undertaking that provides recreational water activities, to keep a record of each notifiable incident for at least 5 years from the day that notice of the incident is given to the regulator.	Section 29(7)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power as a person with management or control of a place at which a notifiable incident has occurred, to ensure, so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an inspector arrives or otherwise directs.	Section 30	12-Dec-2017 Item F2	

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Standard Plumbing and Drainage Regulation 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
4.	Chief Executive Officer	Power to request a reasonable number of copies of a plan the subject of a compliance request.	Section 14(6)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to request other information that the local government requires in relation to the testing of a proposed greywater use facility.	Section 14B(c)(ii)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to request other information that the local government requires in relation to work for testing purposes on an on-site sewerage facility.	Section 14D(3)(c)(ii)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to accept a certification of a plan for compliance assessable 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.	Section 15	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to request information or documents to assess compliance assessable 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.	Section 18	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to test or commission plumbing or drainage the subject of compliance assessable work carried out in a remote area.	Section 27	12-Dec-2017 Item F2	
10.	Chief Executive Officer	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.	Section 29	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to agree to assess, and assess, notifiable work for compliance with the regulation.	Section 29A	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to give a rectification notice and an information notice about the decision to give the rectification notice.	Section 29B(2) and 29B(6)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	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.	Section 30	12-Dec-2017 Item F2	
14.	Chief Executive Officer	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.	Section 32	12-Dec-2017 Item F2	
15.	Chief Executive Officer	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.	Section 34(1)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	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.	Section 34(2)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	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.	Section 34(3)	12-Dec-2017 Item F2	

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Standard Plumbing and Drainage Regulation 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
18.	Chief Executive Officer	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.	Section 35	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to implement and maintain a program for the registration, maintenance and testing of testable backflow prevention devices.	Section 38	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to approve the design and location of a grease arrestor.	Section 39	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to approve air-cooling equipment's connection to a supply pipe.	Section 41	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to approve hydraulic powered equipment's connection to a supply pipe.	Section 44	12-Dec-2017 Item F2	
23.	Chief Executive Officer	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.	Section 45	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to approve a water closet pan, urinal or another fixture below the level of the sewer or on-site sewerage facility.	Section 47	12-Dec-2017 Item F2	
25.	Chief Executive Officer	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.	Section 52	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to determine the qualifications, skills and experience that an individual should have to be competent to assess plumbing and drainage work.	Section 53	12-Dec-2017 Item F2	
27.	Chief Executive Officer	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.	Section 54	12-Dec-2017 Item F2	

State Penalties Enforcement Act 1999					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as administering authority, to approve a form for an infringement notice.	Section 15(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as administering authority, to approve (or refuse where the conditions in this section have not been complied with) an application for payment of a fine by instalments.	Section 23	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as administering authority, to submit particulars required for registration of approval of instalment payments with the State Penalties Enforcement Registry.	Section 24(1)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as administering authority, to withdraw an infringement notice at any time before the fine is satisfied in full.	Section 28(1)	12-Dec-2017 Item F2	



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State Penalties Enforcement Act 1999					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
5.	Chief Executive Officer	Power, as administering authority, to give the State Penalties Enforcement Registry a default certificate for registration in respect of any recipient of an infringement notice who has not taken action within the time period provided by the infringement notice.	Section 33(1)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	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.	Section 57(5)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as an administering authority, to state any matter in subsection (2) is evidence of the matter.	Section 157(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to approve forms for use as infringement notices.	Section 162	12-Dec-2017 Item F2	

Statutory Bodies Financial Arrangements Act 1982					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a statutory body, to operate a deposit and withdrawal account with a financial institution.	Section 31(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a statutory body, to seek the approval of the Treasurer to operate a deposit and withdrawal account with an overdraft facility.	Section 31(2)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a statutory body, to borrow money and to seek the treasurer's approval for the borrowing.	Section 34(1)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	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.	Section 35(3)	12-Dec-2017 Item F2	
5.	Chief Executive Officer (Please note that this power applies to <u>all</u> Councils <u>except</u> for Brisbane City, Cairns Regional, Gold Coast City, Ipswich City, Logan City, Moreton Bay Regional and Sunshine Coast Regional Councils.)	Power, as a statutory body, to exercise category 1 investment powers.	Sections 42 and 44	12-Dec-2017 Item F2	

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Statutory Bodies Financial Arrangements Act 1982					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
6.	Chief Executive Officer (Please note that this power applies to Cairns Regional, Gold Coast City, Ipswich City, Logan City, Moreton Bay Regional and Sunshine Coast Regional Councils only.)	Power, as a statutory body, to exercise category 2 investment powers.	Sections 42 and 45	12-Dec-2017 Item F2	
7.	Chief Executive Officer (Please note that this power applies to Brisbane City Council only.)	Power, as a statutory body, to exercise category 3 investment powers.	Section 46	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a statutory body, to keep records that show Council has invested in the way most appropriate in all the circumstances.	Section 47(2)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	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).	Section 52(2)	12-Dec-2017 Item F2	
10.	Chief Executive Officer (Please note that this power applies to Brisbane City and Gold Coast City Councils only.)	Power, as a statutory body, to enter a derivative transaction.	Section 53(1)	12-Dec-2017 Item F2	
11.	Chief Executive Officer (Please note that this power applies to Brisbane City and Gold Coast City Councils only.)	Power, as a statutory body, to appoint a person as an agent for Part 7, Division 1 and obtain the treasurer's approval for the appointment.	Section 53(1)(b)	12-Dec-2017 Item F2	
12.	Chief Executive Officer (Please note that this power applies to Brisbane City and Gold Coast City Councils only.)	Power, as a statutory body, to obtain the treasurer's approval for the entering of a derivative transaction.	Section 53(2)	12-Dec-2017 Item F2	



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Statutory Bodies Financial Arrangements Act 1982					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
13.	Chief Executive Officer (Please note that this power applies to Brisbane City and Gold Coast City Councils only.)	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> .	Sections 55 and 56	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as a statutory body, to appoint a person as a funds manager and obtain the treasurer's approval for the appointment.	Section 59	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as a statutory body, to enter a type 1 financial arrangement and obtain the treasurer's approval for the arrangement.	Section 60A	12-Dec-2017 Item F2	
16.	Chief Executive Officer	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.	Section 61A	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, as a statutory body, to sign documents for a financial arrangement under the Act.	Section 62(1)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	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.	Section 62(2)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as a statutory body, to apply to the treasurer for approval of the exercise of a power under the Act.	Section 71	12-Dec-2017 Item F2	
20.	Chief Executive Officer	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.	Section 72	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as a statutory body, to keep a register of the Treasurer's approvals under Part 9, Division 3 of the Act for Council's exercise of a power.	Section 74	12-Dec-2017 Item F2	

Stock Route Management Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to prepare a stock route network management plan.	Sections 105 to 109 inclusive	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to review, or renew, its stock route network management plan when the chief executive officer of the local government considers it appropriate.	Section 113	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as an issuing entity, to give notice that a person may apply for a permit for the land.	Section 116(2)(c)(ii)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	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.	Section 117	12-Dec-2017 Item F2	

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Stock Route Management Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
5.	Chief Executive Officer	Power to grant or refuse an application for a stock route agistment permit.	Section 118	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to grant or refuse an application to renew a stock route agistment permit.	Section 123	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to impose on a stock route agistment permit the reasonable conditions it decides.	Section 126	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to amend the conditions of a stock route agistment permit.	Section 127	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to cancel a stock route agistment permit.	Section 128	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to require the holder of a stock route agistment permit to return the permit.	Section 130	12-Dec-2017 Item F2	
11.	Chief Executive Officer	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.	Section 135	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to grant or refuse an application for a stock route travel permit.	Section 136	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to require a stock route travel permit holder who gives a notice of the correct particular to return the permit.	Section 141	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to impose on a stock route travel permit the reasonable conditions it decides.	Section 142	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to amend a stock route travel permit.	Section 143	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to cancel a stock route travel permit.	Section 144	12-Dec-2017 Item F2	
17.	Chief Executive Officer	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.	Section 146	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to consider it necessary to build a stock-proof fence on the boundary of land adjoining a stock route network.	Section 148	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to issue a fencing notice.	Section 149	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to give a mustering notice.	Section 156	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to manager and conserve pasture on its stock route network.	Section 160	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to require an owner to reduce the number of stock on the land.	Section 161(2)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to consent to the burning or removal of pasture.	Section 180	12-Dec-2017 Item F2	

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Stock Route Management Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
24.	Chief Executive Officer	Power to consult with the Minister about the performance of the function or obligation under the <i>Stock Route Management Act 2002</i> .	Section 184(3)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to take action to comply with any notice given by the Minister in relation to the administration and enforcement of the <i>Stock Route Management Act 2002</i> .	Section 184(5)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to pay the amount to the chief executive in the stated period.	Section 187(5)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to pay half of the amounts referred to in subsection (1) to the department.	Section 187A	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to provide any information that the Minister may required in relation to: (a) details of amounts payable to Council under the <i>Stock Route Management Act 2002</i> ; and (b) functions or powers performed or exercised or required to be performed or exercised by Council under the <i>Stock Route Management Act 2002</i> .	Section 188	12-Dec-2017 Item F2	

Summary Offences Act 2005					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to authorise a person to busk in a public place.	Section 8(2)(b)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to recover from the owner of a place, as a debt, any damages, including costs, paid by Council under section 32(2), if the breach of duty by the owner that caused the injury to ,or death of, a local graffiti removal officer amounts to gross negligence.	Section 32(3)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to make an agreement with the owner of a place in relation to the fee payable by Council to the owner for the removal of public graffiti by the owner.	Section 33(2)	12-Dec-2017 Item F2	

Summary Offences Regulation 2006					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to consult with an entity that intends to make an application for an area of public land to be prescribed as motorbike control land about the proposal.	Section 10(1)(a)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as entity having a legitimate interest in the area, to consult with a government entity for the purposes of reviewing the number and location of prescribed areas of motorbike control land.	Section 14(3)	12-Dec-2017 Item F2	

Survey and Mapping Infrastructure Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as an owner or occupier of land, to consent to a surveyor placing a permanent survey mark on the land.	Section 21(2)	12-Dec-2017 Item F2	

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Survey and Mapping Infrastructure Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
2.	Chief Executive Officer	Power, as a public authority that placed, or requested to be placed, a survey mark, to give to the chief executive a copy of a survey plan or other information necessary to establish a survey mark as a recognised permanent survey mark.	Section 34	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, where the survey mark is on a road under the control of Council, to maintain the integrity of survey markers, and provide updated information to the survey control register.	Section 39	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a public authority, where the survey mark is on land, other than roads, controlled by Council, to maintain the integrity of survey markers, and provide updated information to the survey control register.	Section 40	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a public authority, where a person interferes with a recognised permanent survey mark, to take action reasonably necessary to reinstate the physical and survey integrity of a recognised permanent survey marker.	Section 44	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a public authority, to provide the chief executive with information about the boundaries of an administrative area.	Section 49	12-Dec-2017 Item F2	

Sustainable Planning Act 2009					
Note: This Act was repealed on 3 July 2017. These powers only remain relevant where Council is processing a development application under SPA pursuant to transitional provisions contained in the <i>Planning Act 2016</i> or another Act.					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a local government, to amend a planning scheme to reflect a designated region's regional plan.	Section 39	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a local government, to consult with the Minister about the establishment of a regional planning committee.	Section 41(5)(c)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a local government, to accept or refuse a request made under section 95, including extending the request period by 10 days.	Section 96	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a local government, to issue a written notice of Council's decision under section 96.	Section 97	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a local government, to decide application request for extension of time made under section 98(2), and give written notice of that decision.	Section 98(2) and (4)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a local government, to publish in a local newspaper and government gazette notice of a repealed temporary planning scheme.	Section 123(3)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a local government, to publish in a local newspaper and government gazette notice of a repealed planning scheme policy.	Section 124(3)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a local government, to make submissions to the Minister about the proposed exercise of the State's power, after being given written notice under section 125.	Section 125(3)(b)	12-Dec-2017 Item F2	



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Sustainable Planning Act 2009

Note: This Act was repealed on 3 July 2017. These powers only remain relevant where Council is processing a development application under SPA pursuant to transitional provisions contained in the *Planning Act 2016* or another Act.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
9.	Chief Executive Officer	Power, as a local government, to facilitate the designation of land for community infrastructure under Chapter 5 of the Act. For avoidance of doubt, the power delegated includes (without limitation) the power to take all actions as detailed in sections 206, 212, 213, 216, 223, 224, 225, 226 and 227.	Sections 206, 212, 213, 216, 223, 224, 225, 226 and 227	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a local government or owner of any land to which the proposed designation applies, to make a submission to the Minister in relation to a Ministerial designation of land.	Section 207	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a local government, to enter a Ministerial designation of land in its planning scheme.	Section 211	12-Dec-2017 Item F2	
12.	Chief Executive officer	Power, as a local government, to facilitate the repeal of a designation made by Council. For the avoidance of doubt, the power delegated includes (without limitation) the power to take all actions as detailed in sections 218, 219 and 221.	Sections 218, 219 and 221	12-Dec-2017 Item F2	
13.	Chief Executive Officer	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, 261, 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, 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> .	Sections 256, 259, 260, 261, 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, 368, 371, 373, 374, 375, 376, 378, 381, 383, 386, 387, 389, 417, 418, 419, 428, 433 and 434	12-Dec-2017 Item F2	

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**Sustainable Planning Act 2009**

Note: This Act was repealed on 3 July 2017. These powers only remain relevant where Council is processing a development application under SPA pursuant to transitional provisions contained in the *Planning Act 2016* or another Act.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
14.	Chief Executive Officer	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 256, 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> .	Sections 256, 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	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as an owner of the land, to consent to the making of a development application.	Sections 260(1)(e) and 263	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as an entity the Minister considers appropriate, to consult with the Minister in relation to a making or amending the standard conditions.	Section 332	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, as a local government, to give an applicant a new infrastructure charges notice under section 633, regulated infrastructure charges notice under section 643 or adopted infrastructure charges notice under section 648F to replace the original notice.	Section 364	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, as an owner of the land, to consent to a request to change the development approval.	Section 371	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as an owner of the land, to consent to an application to cancel a development approval.	Section 379(1)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power, as an owner of the land, to consent to an application to extend a period mentioned in section 341.	Section 383(3)(d)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as a local government, to note an approval on its planning scheme and give notice of that approval to the chief executive of the department.	Section 391	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power, as a local government, to carry out compliance assessment.	Section 399	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, as a local government, to assess and give the compliance assessor written notice of Council's response regarding the aspects of a development requiring compliance assessment that must be referred to the local government.	Section 402	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as a compliance assessor, to decide a request, give an action notice, give a compliance permit with conditions (if any) and give a compliance certificate with conditions (if any).	Sections 405, 407 and 408	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as a compliance assessor, to respond to a request to withdraw or change an action notice.	Section 412	12-Dec-2017 Item F2	

**Sustainable Planning Act 2009**

Note: This Act was repealed on 3 July 2017. These powers only remain relevant where Council is processing a development application under SPA pursuant to transitional provisions contained in the *Planning Act 2016* or another Act.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
26.	Chief Executive Officer	Power, as a compliance assessor, to decide a request to change a compliance permit or compliance certificate.	Section 413	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to commence proceedings in the Planning and Environment Court for declarations and orders.	Section 456	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power as an advice agency, where Council, in its advice agency response, told the assessment manager to treat the response as a properly made submission, to appeal to the Planning and Environment Court.	Section 464	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as a party to a proceeding decided by a building and development committee, to appeal to the Planning and Environment Court against the decision.	Section 479	12-Dec-2017 Item F2	
30.	Chief Executive Officer	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.	Section 485(6)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as an assessment manager, concurrence agency or referral agency for the development application, to elect to become a co-respondent in an appeal.	Section 485(8)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as a second entity required to be given notice of an appeal under section 484, to elect to be a co-respondent.	Section 487	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as a party to a proceeding, to apply for a review of a decision, direction or act of the ADR registrar.	Section 491B(6)	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power, as a party to a proceeding, to appeal a decision to the Court of Appeal.	Section 498	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as an assessment manager, to bring a proceeding before a building and development committee for a declaration about whether the application is a properly made application.	Section 510	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, as a compliance assessor, to bring a proceeding before a building and development committee about whether the request for compliance assessment has lapsed under this Act.	Section 512	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as a responsible entity, to bring a proceeding before a building and development committee about whether a proposed change to the approval is a permissible change.	Section 513	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as a person entitled to bring a proceeding for declarations or as a person entitled to start an appeal before a building and development committee, to request the proceeding be fast-tracked.	Sections 515 and 537	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as an entity that gave a notice under section 373, to appeal to a building and development committee against a decision on a request to make a permissible change to the development approval.	Sections 521 and 530 .	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as an advice agency, to appeal to a building and development committee about the giving of a development approval.	Section 528	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, as an assessment manager, to apply to withdraw from the appeal if the appeal is only about a concurrence agency response.	Section 543	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as an entity required under section 541 or 542 to be given notice of the appeal, to elect to be a co-respondent.	Section 547(3)(b) .	12-Dec-2017 Item F2	

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Sustainable Planning Act 2009

Note: This Act was repealed on 3 July 2017. These powers only remain relevant where Council is processing a development application under SPA pursuant to transitional provisions contained in the *Planning Act 2016* or another Act.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
43.	Chief Executive Officer	Power, as an assessment manager, to provide all material requested by the registrar.	Section 551	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as a party to an appeal or proceedings, to agree to have the matter decided on the basis of written submissions.	Section 558(b)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power, as an assessing authority, to give a show cause notice.	Section 588	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power, as an assessing authority, to give an enforcement notice.	Section 590	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power to bring proceedings in the Magistrates Court on a complaint to prosecute a person for an offence against Chapter 7, Part 3 of the Act.	Section 597	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power to bring proceedings in the Planning and Environment Court for an enforcement order, an interim enforcement order, or to cancel or change an enforcement order or interim enforcement order.	Section 601	12-Dec-2017 Item F2	
49.	Chief executive officer	Power, as assessing authority, where the Planning and Environment Court has convicted a person of an offence against this Act, to apply to the court for an order against the person for the payment of the costs and expenses incurred in taking a sample or conducting an inspection, test measurement or analysis during the investigation of the offence.	Section 614	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power, as a participating local government for a distributor-retailer, to agree with a distributor-retailer about the breakup of adopted charges. ³	Section 632	12-Dec-2017 Item F2	
51.	Chief Executive Officer	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.	Section 635	12-Dec-2017 Item F2	
52.	Chief Executive Officer	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.	Section 626(1)(d) and 635	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as a local government, 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.	Section 638(1)(d)	12-Dec-2017 Item F2	
54.	Chief Executive Officer	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.	Section 639	12-Dec-2017 Item F2	

³ 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.


Sustainable Planning Act 2009

Note: This Act was repealed on 3 July 2017. These powers only remain relevant where Council is processing a development application under SPA pursuant to transitional provisions contained in the *Planning Act 2016* or another Act.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
55.	Chief Executive Officer	Power, as a local government, to consider submissions made on an infrastructure charges notice and, if the submissions are agreed, issue a new infrastructure charges notice.	Section 643(1)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	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 either or both of the following to be provided at a stated time: (a) the identified infrastructure; and/or (b) different trunk infrastructure delivering the same desired standard of service.	Section 646	12-Dec-2017 Item F2	
57.	Chief Executive Officer	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 requiring development infrastructure necessary to service the premises to be provided at a stated time.	Section 647	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power, as a local government, to impose a condition requiring payment of additional trunk infrastructure costs.	Section 650	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power, as a local government, to agree with an applicant about the payment time for an additional payment condition imposed under section 650(1).	Section 651(2)	12-Dec-2017 Item F2	
60.	Chief Executive Officer	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.	Section 660(3)	12-Dec-2017 Item F2	
61.	Chief Executive Officer	Power, as a local government within 20 business days of deciding, on a conversion application, to convert non-trunk infrastructure to trunk infrastructure, to amend the development approval by imposing a necessary infrastructure condition for the trunk infrastructure.	Section 662(3)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power, as a local government, to agree with an applicant that a levied charge, for the purpose of its recovery, is not taken to be rates.	Section 664(2)	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power, as a local government, to impose a condition on a development approval about non-trunk infrastructure.	Section 665	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power, as a local government, to enter an infrastructure agreement.	Chapter 8 Part 4	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power, as a public sector entity, to enter an agreement about: (a) providing or funding infrastructure; or (b) refunding payments made towards the cost of providing or funding infrastructure.	Section 677	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power, as a local government, to sell land it holds on trust in fee simple for public parks infrastructure or local community facilities.	Section 678	12-Dec-2017 Item F2	
67.	Chief Executive Officer	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 purpose mentioned in section 665(2).	Section 679	12-Dec-2017 Item F2	

**Sustainable Planning Act 2009**

Note: This Act was repealed on 3 July 2017. These powers only remain relevant where Council is processing a development application under SPA pursuant to transitional provisions contained in the *Planning Act 2016* or another Act.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
68.	Chief Executive Officer	Power, upon receipt of a notice under section 680ZD, to note the registration on Council's planning scheme, and any new planning scheme Council makes before the registration ends.	Section 680ZE	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power to make comments in relation to draft terms of reference for an environmental impact statement.	Section 691(8)	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power, as a local government, upon receiving a copy of the draft terms of reference for an environmental impact statement, to make the copy available for inspection and purchase until the last day for making comments.	Section 691(10)	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power to make comments in relation to draft environmental impact statement.	Section 694 and 695	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power, as a local government, upon receiving a copy of the draft environmental impact statement, to make the copy available for inspection and purchase until the last day for making comments.	Section 694(7)	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power, as a local government, to decide claims for compensation.	Sections 709 and 710	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power, as local government, to seek approval of the Governor in Council to take land, under the Acquisition Act.	Section 714	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power, as an assessment manager or relevant entity for a request for compliance assessment, to enter land to undertake works.	Section 715	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power, as an assessment manager or other entity, where a person has incurred loss or damage because of the exercise of powers under section 715, to decide a claim for compensation and recover, from the applicant or person who requested compliance assessment, the amount of compensation paid that is not attributable to Council's negligence.	Section 716	12-Dec-2017 Item F2	
77.	Chief Executive Officer	Power to make submissions in response to public notification of a development for public housing.	Section 721	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power, as an entity required to keep a document available for inspection and purchase, to charge a person for supplying copy of the document or part of the document.	Section 723(3)	12-Dec-2017 Item F2	
79.	Chief Executive Officer	Power, as a local government, to decide that section 724(1) does not apply where reasonably satisfied that the documents mentioned in section 724(1)(y) to (zd) contain— (a) sensitive security information; or (b) information of a purely private nature about an individual, including, for example, someone's residential address.	Section 724(5)	12-Dec-2017 Item F2	
80.	Chief Executive Officer	Power, as a local government, to decide that section 726(1) does not apply where reasonably satisfied that the documents mentioned in section 726(1) contain sensitive security information.	Sections 726(3)	12-Dec-2017 Item F2	
81.	Chief Executive Officer	Power, as an assessment manager, to decide that section 728(1) does not apply where reasonably satisfied that the documents mentioned in section 728(1) contain sensitive security information.	Section 728(3)	12-Dec-2017 Item F2	


Sustainable Planning Act 2009

Note: This Act was repealed on 3 July 2017. These powers only remain relevant where Council is processing a development application under SPA pursuant to transitional provisions contained in the *Planning Act 2016* or another Act.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
82.	Chief Executive Officer	Power, as an assessment manager, to decide that section 729(1) does not apply where reasonably satisfied that the documents mentioned in section 729(1)(l) or (m)— (a) sensitive security information; or (b) information of a purely private nature about an individual, including, for example, someone's residential address.	Section 729(5)	12-Dec-2017 Item F2	
83.	Chief Executive Officer	Power, as a compliance assessor, to decide that section 734(1) does not apply where reasonably satisfied that the documents mentioned in section 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.	Section 734(3)	12-Dec-2017 Item F2	
84.	Chief Executive Officer	Power, as a local government, to publish information and documents on Council's website.	Section 736	12-Dec-2017 Item F2	
85.	Chief Executive Officer	Power, as a local government, to decide that section 736(1) and (2) do not apply where reasonably the information contains sensitive security information.	Section 736(5)	12-Dec-2017 Item F2	
86.	Chief Executive Officer	Power, as a local government, to issue a planning and development certificate.	Section 741	12-Dec-2017 Item F2	
87.	Chief Executive Officer	Power to make submissions in response to public notification of a development application under Chapter 9 Part 7.	Section 751	12-Dec-2017 Item F2	
88.	Chief Executive Officer	Power, as an entity considered appropriate by the Minister, to consult with the Minister in relation to the guidelines the Minister may make under section 759.	Section 759	12-Dec-2017 Item F2	
89.	Chief Executive Officer	Power, as an entity considered appropriate by the chief executive, to consult with the chief executive in relation to guidelines the chief executive may make under section 760.	Section 760	12-Dec-2017 Item F2	
90.	Chief Executive Officer	Power, as a local government that has a declared master planned area in its local government area, to take the action required by subsection 761A(2) (where Council's planning scheme is <u>not</u> an IPA planning scheme) or 761A(3) (where Council's planning scheme is an IPA planning scheme).	Section 761A	12-Dec-2017 Item F2	
91.	Chief Executive Officer	Power, as a local government or an assessment manager, 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.	Section 842	12-Dec-2017 Item F2	
92.	Chief Executive Officer	Power, as a local government, to impose conditions on a development approval about infrastructure.	Section 848	12-Dec-2017 Item F2	
93.	Chief Executive Officer	Power, as a local government, to continue to decide an iconic places development application to which section 873(3) applies and give a decision notice for the application.	Section 873(4)(b)	12-Dec-2017 Item F2	
94.	Chief Executive Officer	Power, as a local government for the application, to appeal to the Planning and Environment Court, as if Council had been a submitter for an iconic places development application to which sections 461 to 464 apply.	Section 875(3)	12-Dec-2017 Item F2	

**Sustainable Planning Act 2009**

Note: This Act was repealed on 3 July 2017. These powers only remain relevant where Council is processing a development application under SPA pursuant to transitional provisions contained in the *Planning Act 2016* or another Act.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
95.	Chief Executive Officer (for Atherton, Cairns, Rockhampton and Sunshine Coast Regional Councils only)	Power as a continuing local government to ask the Minister to make a decision under section 957(4).	Section 957(3)	12-Dec-2017 Item F2	
96.	Chief Executive Officer	Power, as a local government that has started the process for preparing a PIP 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.	Section 976A	12-Dec-2017 Item F2	
97.	Chief Executive Officer	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.	Section 977(3)	12-Dec-2017 Item F2	
98.	Chief Executive Officer	Power, as a local government that has a planning scheme that does not include an LGIP and before 4 July 2014, did not include a PIP, to:- (a) give an infrastructure charges notice under section 635; and (b) impose condition about trunk infrastructure under section 646, 647 or 650.	Section 996	12-Dec-2017 Item F2	

Tobacco and Other Smoking Products Act 1998

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as an occupier of an enclosed space, to give directions to stop persons from smoking in the enclosed space.	Section 26U(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to consult with the Department about a proposed local law under section 26ZPA.	Section 26ZPB	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to respond to a request for information from the chief executive about a local law made under section 26ZPA.	Section 26ZPC	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to administer and enforce Part 2BB, divisions 4 to 8 and Part 2C, division 3 of the Act.	Sections 26ZU and 26ZV	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to respond to a request for information from the chief executive about the local government's administration and enforcement.	Section 26ZW	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as an occupier of a place, to give consent to an authorised person to enter the place.	Section 33(1)(a)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as an occupier of a place, to sign an acknowledgement confirming that consent to enter the place was given to an authorised person.	Section 34(3)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	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.	Section 44B(1)	12-Dec-2017 Item F2	



Transport Infrastructure (Busway) Regulation 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to provide written directions to the chief executive regarding the removal of Council property abandoned on a busway or busway transport infrastructure, or parked or left on a busway or busway transport infrastructure against the chief executive's directions.	Section 20	12-Dec-2017 Item F2	

Transport Infrastructure (Public Marine Facilities) Regulation 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to manage the public marine facilities listed in schedule 1.	Section 5, 7, and Schedule 1	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a manager of a public marine facility, to give written approval for the use of the facility for a commercial purpose.	Section 6(b)(i)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a manager of a non-State managed boat harbour, to pay to the chief executive the fees stated in schedule 3 for each mooring in the boat harbour.	Section 79	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a manager of a non-State managed boat harbour, to ask the chief executive to enter into another arrangement for the payment of fees under section 79.	Section 81(2)	12-Dec-2017 Item F2	

Transport Infrastructure (Rail) Regulation 2006					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a railway manager, to give permission to persons with regards to the following:- (a) playing a musical instrument or operating sound equipment on a railway; or (b) publicly and personally selling anything, seeking business or conducting a survey on a railway; or (c) operating a gate at a railway crossing in a way other than opening, closing and securing the gate; or (d) going onto a railway track; or (e) loading luggage onto rolling stock; or (f) do an act or make an omission contrary to all or any of sections 26 to 30.	Sections 6(2)(b), 14(2), 16(5), 17(c), 25(2)(b) and 31	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a railway manager, to:- (a) supply alcohol to persons on a railway; or (b) give permission to person to drink alcohol on a railway; and (c) to set aside an area for persons to drink alcohol.	Section 8(1)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a railway manager, to direct a person displaying coloured light on or near a railway, and which interferes with the safe operation of the railway, to remove or screen the light.	Section 10 (1)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a railway manager, to provide an entrance or exit for a railway for the purpose of entering or exiting the railway.	Section 11(1)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a railway manager, to take reasonable and necessary steps to move property abandoned or left on a railway.	Section 18	12-Dec-2017 Item F2	



Organisational Services
Organisational Services Administration

Transport Infrastructure (Rail) Regulation 2006					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
6.	Chief Executive Officer	Power, as a railway manager, to recover Council's reasonable expenses of moving property abandoned or left on a railway, securely storing the property and publishing any newspaper notice for it from the person in charge of the property or the property's owner.	Section 21	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to provide written directions to a railway manager or operator regarding the release of property abandoned or left on a railway.	Section 22	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a railway manager, to dispose of property Council reasonably considers to have been abandoned.	Section 23	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a railway manager, to waive part or all of the expenses reasonably incurred by Council in moving and disposing of property abandoned or left on a railway.	Section 23(6)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a railway manager, to impose relevant conditions on a permission provided under section 31.	Section 32	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a railway manager, to deal with property moved under part 3 of the now repealed <i>Transport Infrastructure (Rail) Regulation 1996</i> as if the repealed regulation had not been repealed.	Section 42	12-Dec-2017 Item F2	

Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	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.	Section 11(4)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	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.	Section 14(3)(a)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	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.	Section 17(4)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	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.	Section 25(b)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a railway manager, to:- (a) consult with, and make submissions to, the Minister before a declaration is made making a road or route, or part of a road or route, that crosses rail corridor land and continues on the other side of the rail corridor land a State-controlled road; (b) construct, maintain and operate a railway on a declared common area in a way not inconsistent with its use as a State-controlled road; (c) make an agreement with the chief executive regarding the State-controlled road on the common area.	Section 26	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to prepare and make submissions to the Minister in relation to any declaration or revocation of declaration that the whole or a part of a State-controlled road is a motorway.	Section 27(3)(b)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	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.	Section 29	12-Dec-2017 Item F2	

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Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
8.	Chief Executive Officer	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.	Section 32	12-Dec-2017 Item F2	
9.	Chief Executive Officer	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.	Section 36(1) and (4)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	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.	Section 37	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to enter into agreements with the chief executive in relation to funding for road works on Council's roads.	Section 40	12-Dec-2017 Item F2	
12.	Chief Executive Officer	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.	Section 41	12-Dec-2017 Item F2	
13.	Chief Executive Officer	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 and exceptions under subsections (2) or (5) do not apply.	Section 42	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to apply and enforce conditions to proposed road works or changes to the management of a Council road.	Section 42(5)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	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.	Section 43	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to apply conditions to the erection, alteration or operation of an advertising sign or device.	Section 43(4)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to exercise all the powers Council may exercise for a local government road in its area in relation to State-controlled roads in its area.	Section 45	12-Dec-2017 Item F2	
18.	Chief Executive Officer	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.	Section 52(6)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	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.	Section 55	12-Dec-2017 Item F2	



Organisational Services
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Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
20.	Chief Executive Officer	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.	Section 62(1)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	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.	Section 67A	12-Dec-2017 Item F2	
22.	Chief Executive Officer	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.	Section 72(2)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	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.	Section 73(4)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	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.	Section 76	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as the owner of a public utility plant, to give the chief executive written notice of Council's intention to take action mentioned in section 80 on a State controlled road.	Section 81	12-Dec-2017 Item F2	
26.	Chief Executive Officer	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.	Section 83	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, as a railway manager, to consult with, and make submissions to, the Minister about an intended declaration under section 84A.	Section 84B(2)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, as a railway manager for a rail corridor land that has been declared to be part of a common area, to construct, maintain and operate a railway on the common area in a way not inconsistent with its use as a toll road.	Section 84B(4)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as a railway manager for rail corridor land that has been declared to be part of a common area, to enter into an agreement with chief executive, or the lease holder for the particular State toll road corridor land, regarding the following:- (a) responsibility for maintaining a toll road, and the transport infrastructure relating to a toll road, on the common area; and (b) responsibility for the cost of removing road transport infrastructure from the common area and restoring the railway.	Section 84B(5)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to claim compensation regarding land, in which Council has an interest but has been declared to be State toll road corridor land under section 84A, under the <i>Acquisition of Land Act 1967</i> , section 12(5A) and (5B), and part 4 as if the interest were land taken by the State under that Act.	Section 84D	12-Dec-2017 Item F2	

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Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
31.	Chief Executive Officer	Power, as a railway manager, to:- (a) consult with, and make submissions to, the Minister regarding the construction, maintenance or operation of a road, or part of a road, that crosses rail corridor land and continues on the other side of the rail corridor land; (b) construct, maintain and operate a railway on the common area in a way not inconsistent with its use as a franchised road; (c) enter into an agreement with the franchisee regarding the franchised road on the common area.	Section 85A	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as a toll road operator, to recover, as a debt, from the driver the amount of any unpaid toll or user administration charge, subject to any applicable agreement made by Council.	Section 94(2)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as a toll road operator, to enter into an agreement with a person regarding the liability of a designated vehicle's driver for the toll payable at a toll plaza.	Section 95(2)	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power, as a toll road operator, to give the registered operator of a vehicle a written notice requiring the registered operator, within the prescribed time for the notice— (a) to pay Council the deferred toll amount; or (b) to give Council the registered operator's statutory declaration containing the required information.	Section 99	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as a toll road operator, to give written notice, in the approved form, under this section if Council has not received a deferred toll amount and it considers, on reasonable grounds, that a person other than the vehicle's registered operator has information that could help the toll road operator establish the name and address of the driver.	Section 100	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to give a statutory declaration complying with subsection (3).	Sections 100(2) and 105ZJ(2)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as a toll road operator, to give a written notice, in the approved form, under this section if Council has not received a deferred toll amount and it considers, on reasonable grounds, that Council has correctly identified the person who was the driver.	Section 101	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power to disclose, allow access to, record or use personal information under certain circumstances.	Sections 104(2) and 105ZN(2)	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power to exercise all the powers of Council, including applying for the Minister's consent for a local government tollway, under Part 8 (Local Government Tollways). ⁴	Chapter 6, Part 8	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power— (a) as a railway manager, to consult with, and make submissions to, the Minister about an intended declaration under section 105H; (b) to construct, maintain and operate a railway on a declared common area in a way not inconsistent with its use as a local government tollway; (c) to make an agreement with the chief executive regarding the local government tollway on the common area.	Section 105I	12-Dec-2017 Item F2	

⁴ Specific powers under this Part will need to be specified in the register if the powers are sub-delegated to a Council officer.



Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
41.	Chief Executive Officer	Power to enter into a lease or sublease with another local government or person, respectively, concerning the use of local government tollway corridor land for a tollway.	Section 105J(9) and (10)	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as a person with an interest in land declared to be a local government tollway corridor land under section 105H, to claim compensation under the <i>Acquisition of Land Act 1967</i> , section 12(5A) and (5B) and part 4 as if the interest were land taken by the State under that Act.	Section 105JA(3)	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, as a public utility provider, to do the following on local government tollway corridor land— (a) build, replace or take away, or alter, other than for maintenance or repair, its public utility plant; (b) maintain or repair, or alter, for maintenance or repair, its public utility plant; (c) take reasonable steps to stop obstruction or potential obstruction to, or interference or potential interference with, its public utility plant; (d) seek written agreement from the local government for whom the declaration of the local government tollway corridor land was made; (e) in the interests of public safety, carry out urgent maintenance of its public utility plant on local government tollway corridor land without the written agreement of the local government.	Section 105N	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as a public utility provider, to ask another local government for information about lines and levels for planned local government tollway infrastructure on local government tollway corridor land.	Section 105O(1)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power, as a public utility provider, to make an agreement with a local government regarding the reduction in cost of replacing or reconstructing a public utility plant.	Section 105X(4)	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power to enter into a local government tollway franchise agreement with another local government.	Section 105Y	12-Dec-2017 Item F2	
47.	Chief Executive Officer	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.	Section 109A(4)(a)	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power to apply to the chief executive for a rail feasibility investigator's authority for an area of land.	Section 110	12-Dec-2017 Item F2	
49.	Chief Executive Officer	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.	Section 114(3)(a)	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power, as an authorised investigator, to allow an associated person to act under the investigator's authority.	Section 115(1)	12-Dec-2017 Item F2	
51.	Chief Executive Officer	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.	Sections 115(4) and 408(4)	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as an authorised investigator, to do anything necessary or desirable to minimise damage to the land or inconvenience to the land's owner or occupier.	Section 117(b)	12-Dec-2017 Item F2	



Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
53.	Chief Executive Officer	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 (c) 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.	Section 118 (1)	12-Dec-2017 Item F2	
54.	Chief Executive Officer	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.	Section 118(4)(a)	12-Dec-2017 Item F2	
55.	Chief Executive Officer	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.	Section 126(2)(d)(i)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	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.	Section 165(c)	12-Dec-2017 Item F2	
57.	Chief Executive Officer	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.	Section 166(1)	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power to seek the chief executive's written approval to carry out works near a railway.	Section 168	12-Dec-2017 Item F2	
59.	Chief Executive Officer	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.	Section 168(7)(b)	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power, as a railway manager, to— (a) temporarily close or regulate a railway crossing if satisfied it is necessary because of an immediate threat to— (i) the safety of the railway; or (ii) the public using it or who may use it; (b) construct a substitute crossing if Council decides to close or regulate a crossing.	Section 169	12-Dec-2017 Item F2	
61.	Chief Executive Officer	Power, as an occupier of a place, to consent to the entry of a rail safety officer into the place.	Section 178(1)(a)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	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.	Section 179(3) and (5)	12-Dec-2017 Item F2	



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Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
63.	Chief Executive Officer	Power, as a railway manager, to enter into a sublease with the chief executive for rail corridor land or non-rail corridor land.	Section 240(4)	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power, as a railway manager, to make an agreement with the chief executive to renew a sublease for a section of rail corridor land before or immediately after its expiry.	Section 240B(2A)	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power to make an agreement with the chief executive, or commence proceedings in a court, for compensation to be paid to Council because of the revocation of an unregistered right in a railway manager's sublease for a section of rail corridor land.	Section 240B(5)-(7)	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power to enter into a sublease with the chief executive for a section of non-rail corridor land.	Section 240D	12-Dec-2017 Item F2	
67.	Chief Executive Officer	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.	Section 240E(2) and (3)	12-Dec-2017 Item F2	
68.	Chief Executive Officer	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.	Section 240E(5)	12-Dec-2017 Item F2	
69.	Chief Executive Officer	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.	Section 240E(7)	12-Dec-2017 Item F2	
70.	Chief Executive Officer	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.	Section 240F(3)(a)	12-Dec-2017 Item F2	
71.	Chief Executive Officer	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.	Section 240F(4)	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power, as an owner of land, to commence proceedings in the Land Court for compensation.	Section 240F(6)	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power, as a railway manager, to grant a sublicence in relation to an easement described in schedule 4 to a railway operator.	Section 241(3)	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power, as a railway manager, to— (a) alter the rail transport infrastructure; and (b) manage the railway using the rail transport infrastructure, whether or not altered; and (c) operate, or authorise a railway operator to operate, rolling stock on the railway.	Sections 244(2)(b) and 244A(2)(b)	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power:- (a) as a railway manager for rail corridor land or future railway land, to construct, maintain and operate a railway on the common area in a way not inconsistent with its use as a relevant road; (b) to construct, maintain and operate a local government tollway corridor land within a declared common area in a way not inconsistent with its use as a railway	Section 249(3)(a) and (b)	12-Dec-2017 Item F2	

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Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
76.	Chief Executive Officer	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.	Section 249(5)	12-Dec-2017 Item F2	
77.	Chief Executive Officer	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.	Section 250	12-Dec-2017 Item F2	
78.	Chief Executive Officer	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.	Section 253(1)	12-Dec-2017 Item F2	
79.	Chief Executive Officer	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.	Section 253(3)	12-Dec-2017 Item F2	
80.	Chief Executive Officer	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.	Section 253(4)	12-Dec-2017 Item F2	



Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
81.	Chief Executive Officer	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.	Section 253(7)	12-Dec-2017 Item F2	
82.	Chief Executive Officer	Power:- (a) as a railway manager, to give written approval to a person seeking to interfere with the railway; or (b) to seek written approval from a railway's manager to interfere with the railway; and (c) to interfere with a railway provided that the interference is:- (i) with the railway manager's written approval; (ii) permitted or authorised under a right of access under sections 240E or 253, or under the <i>Transport (Rail Safety) Act 2010</i> ; or (iii) otherwise approved, authorised or permitted under this Act or another Act.	Section 255(1)	12-Dec-2017 Item F2	
83.	Chief Executive Officer	Power, as a railway manager, to require, by written notice, a person who has contravened section 255(1) to rectify the interference within a stated reasonable time, or to rectify the interference if the person fails to comply with the requirement.	Section 256	12-Dec-2017 Item F2	
84.	Chief Executive Officer	Power to make an application to the chief executive to make a change to the management of a local government road if the change would require work on a railway or would have a significant adverse impact on the safety and operational integrity of a railway or future railway.	Section 258A	12-Dec-2017 Item F2	
85.	Chief Executive Officer	Power, as a railway manager, to construct and maintain a fence of substantially similar quality to any fence around the neighbouring land when the railway was constructed in order to satisfy its obligation under subsection (2)(b).	Section 260(3)	12-Dec-2017 Item F2	
86.	Chief Executive Officer	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.	Section 260(4)(b)	12-Dec-2017 Item F2	
87.	Chief Executive Officer	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 its 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.	Section 260(6) and (7)	12-Dec-2017 Item F2	
88.	Chief Executive Officer	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.	Section 260(9) and (11)	12-Dec-2017 Item F2	



Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
89.	Chief Executive Officer	Power, as a railway manager, to give written notice to the chief executive, at least 2 months before a preserved train path is allocated to a person, stating details of the proposed allocation.	Section 266A(2)(a)	12-Dec-2017 Item F2	
90.	Chief Executive Officer	Power, as a railway manager, to make a submission against the imposition of a penalty pursuant to section 266C(2) in the way stated in the proposed penalty notice.	Section 266D	12-Dec-2017 Item F2	
91.	Chief Executive Officer	Power, as a railway manager, to appeal a penalty notice to the Supreme Court against the chief executive's decision to impose a penalty.	Section 266F	12-Dec-2017 Item F2	
92.	Chief Executive Officer	Power to exercise all the powers and functions of a port authority under Chapter 8 if Council is given management of a port under Chapter 8.	Section 273	12-Dec-2017 Item F2	
93.	Chief Executive Officer	Power— (a) as a port lessor, port lessee or port manager of the Port of Brisbane, to impose charges in relation to port services and port facilities; (b) as a port user, to make an agreement with the port lessor, port lessee or port manager regarding subsection (1).	Section 279A	12-Dec-2017 Item F2	
94.	Chief Executive Officer	Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to enter into a port agreement with the Minister about charges imposed pursuant to section 279A.	Section 279B	12-Dec-2017 Item F2	
95.	Chief Executive Officer	Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to— (a) decide a reasonable time for payment of a charge imposed pursuant to section 279A and a reasonable interest rate to be applied to any unpaid amount; and (b) recover a charge, or part of a charge, and any interest payable in relation to the charge, as a debt payable to Council.	Section 281C	12-Dec-2017 Item F2	
96.	Chief Executive Officer	Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to (a) by written notice, require a person to give Council a security deposit as a security for a liability or debt incurred, or that may be incurred, by it under chapter 8, part 3A in relation the payment of a charge or damage caused, or that may be caused, to port facilities; (b) appropriate, or partly appropriate, a security deposit to meet the liability or indebtedness of the person if the liability or debt is unpaid after becoming due; (c) by written notice, require the person to give Council a further security deposit subsequent to the appropriation, or part appropriation, of a security deposit; and (d) by written notice, require the person to give Council a security deposit in a greater amount, or in a different form, or both, if Council considers that the person's liability or indebtedness, or potential liability or indebtedness, to Council under chapter 8, part 3A should be more adequately guaranteed.	Section 281F	12-Dec-2017 Item F2	
97.	Chief Executive Officer	Power, as a port lessor of the Port of Brisbane, to display or publish a port notice to control activities or conduct in its port area if Council reasonably considers the activities or conduct may— (a) affect the port's operation; or (b) cause damage to the port authority's strategic port land or Brisbane core port land; or (c) cause damage to the environment.	Section 282	12-Dec-2017 Item F2	



Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
98.	Chief Executive Officer	Power, as a port lessor of the Port of Brisbane, to display or publish a port notice requiring a person or class of persons to produce to the port lessor or port lessor's delegate, information relevant to the matters listed in sub-subsections (a)-(e).	Section 282AA	12-Dec-2017 Item F2	
99.	Chief Executive Officer	Power, as a port lessor of the Port of Brisbane, to control by port notice— (a) the movement or mooring of ships at its port facilities; or (b) the movement or mooring of ships if the movement or mooring may affect the port's operation; or (c) activities on or by ships moored at its port facilities or in its port if the activities may affect the port's operation.	Section 282A	12-Dec-2017 Item F2	
100.	Chief Executive Officer	Power, as a port lessor of the Port of Brisbane, to control, by port notice, the movement, handling or storage of goods loaded, waiting to be loaded, unloaded or transhipped to or from ships at its port facilities.	Section 282C	12-Dec-2017 Item F2	
101.	Chief Executive Officer	Power, as a port lessor of the Port of Brisbane, to control, by port notice, the movement of persons at its facilities including, for example, where the movement of members of the public, or another identified group, is restricted or prohibited.	Section 282D	12-Dec-2017 Item F2	
102.	Chief Executive Officer	Power, as a port lessor of the Port of Brisbane, to control by port notice the parking or stopping of vehicles at or on its port facilities, strategic port land or Brisbane core port land including, for example, by indicating a place where parking or stopping of a vehicle is restricted or prohibited.	Section 282E	12-Dec-2017 Item F2	
103.	Chief Executive Officer	Power, as a port lessor of the Port of Brisbane, to control by port notice the movement, stopping or parking of rolling stock at its port facilities including, for example, by indicating where parking of rolling stock is restricted or prohibited.	Section 282F	12-Dec-2017 Item F2	
104.	Chief Executive Officer	Power, as a port lessor of the Port of Brisbane, to appoint a person as an authorised officer for Council.	Section 282K	12-Dec-2017 Item F2	
105.	Chief Executive Officer	Power, as a port operator, to consult with the Minister before the Minister gives a direction under subsection (2).	Section 283ZJ	12-Dec-2017 Item F2	
106.	Chief Executive Officer	Power, as an assessment manager for a development application for development on Brisbane core port land under the <i>Sustainable Planning Act 2009</i> , to impose a condition on the development approval for the application requiring a contribution only in relation to the following infrastructure provided by the Brisbane City Council or a service provider— (a) drainage; (b) public transport; (c) roads; (d) sewerage and water supply headworks.	Section 283ZZ	12-Dec-2017 Item F2	
107.	Chief Executive Officer	Power to apply to the planning chief executive for a planning and development certificate for premises on Brisbane core port land.	Section 283ZZB	12-Dec-2017 Item F2	
108.	Chief Executive Officer	Power, as an assessment manager for a development application for development on land that becomes Brisbane core port land, to give the application to the planning chief executive and respond to any request for information from the planning chief executive.	Section 283ZZJ	12-Dec-2017 Item F2	



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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
109.	Chief Executive Officer	Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to grant a licence to enter and use port land, if leased by Council under the <i>Land Act 1994</i> , or trade lease of land, if subleased to Council.	Section 283ZZN	12-Dec-2017 Item F2	
110.	Chief Executive Officer	Power to make written submissions in respect of a statement of proposal under section 285A or draft plan under section 285B made by a port authority over land in or adjoining Council's area.	Section 285C	12-Dec-2017 Item F2	
111.	Chief Executive Officer	Power to apply to a port authority for approval to perform a controlled activity in a port authority's port area.	Section 289C	12-Dec-2017 Item F2	
112.	Chief Executive Officer	Power, if Council's interests are affected by a decision mentioned in section 289F(1), to ask the port authority to review the decision or, pursuant to the <i>Transport Planning and Coordination Act 1994</i> , part 5, division 2, make an application to the Queensland Civil and Administrative Tribunal to have the original decision stayed.	Section 289G	12-Dec-2017 Item F2	
113.	Chief Executive Officer	Power, as a port operator, to have abandoned property found at the port facility moved to a place Council considers appropriate.	Section 289I(2)(b)	12-Dec-2017 Item F2	
114.	Chief Executive Officer	Power to seek the return of abandoned property from a port authority or port operator.	Section 289J	12-Dec-2017 Item F2	
115.	Chief Executive Officer	Power, as a port operator, to sell property that has remained unclaimed 28 days after the publication of a notice under section 289I about the abandoned property.	Section 289K	12-Dec-2017 Item F2	
116.	Chief Executive Officer	Power, as a port operator, to sell abandoned property if it is perishable and it is impracticable for Council to keep it having regard to its nature and condition.	Section 289L	12-Dec-2017 Item F2	
117.	Chief Executive Officer	Power, as a port operator, to dispose of abandoned property that is insufficient value property in the way Council considers appropriate.	Section 289N	12-Dec-2017 Item F2	
118.	Chief Executive Officer	Power, as a port lessor of the Port of Brisbane, to delegate a function under Chapter 8, other than under part 3A, to a port lessee or port manager.	Section 289Z	12-Dec-2017 Item F2	
119.	Chief Executive Officer	Power:- (a) as a port lessor of the Port of Brisbane, to appoint an entity as a port manager for the Port of Brisbane; or (b) as a port lessee— (i) to seek written approval from the port lessor to appoint an entity as a port manager for the Port of Brisbane; and (ii) with the written approval of the port lessor, appoint an entity as a port manager for the Port of Brisbane.	Section 289ZA	12-Dec-2017 Item F2	
120.	Chief Executive Officer	Power, as an owner or occupier of land, to give permission to a person proposing to enter Council's land for purposes other than for the performance of urgent remedial work to facilitate or maintain the operation of busway transport infrastructure.	Section 299(4)(a)	12-Dec-2017 Item F2	
121.	Chief Executive Officer	Power, as an owner or occupier of land, to claim compensation from the chief executive for loss or damage caused by the entry, occupation, or use, including by the taking or consumption of materials, of Council's land by the chief executive or a person authorised by the chief executive for purposes relating to busway transport infrastructure.	Section 300(2)	12-Dec-2017 Item F2	

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
122.	Chief Executive Officer	Power, as an owner or occupier of land, to commence proceedings in the Land Court against the chief executive for compensation in the absence of a prior agreement between Council and the chief executive for compensation.	Section 300(4)	12-Dec-2017 Item F2	
123.	Chief Executive Officer	Power to enter into a sublease with the State for an established busway, or a proposed busway, on busway land, including the power to negotiate, and agree upon, the terms of the sublease.	Section 303AA	12-Dec-2017 Item F2	
124.	Chief Executive Officer	Power to seek a licence from the chief executive in relation to busway land or busway transport infrastructure for any of the following purpose:- (a) construction, maintenance or operation of any thing on the land; (b) the use of the land or infrastructure for any purpose; (c) maintenance, management or operation of the land or infrastructure.	Section 303AB(1)	12-Dec-2017 Item F2	
125.	Chief Executive Officer	Power, in relation to a licence granted under section 303AB(1), to:- (a) surrender the licence; and (b) mortgage, sublicense or transfer the licence with the consent of the chief executive.	Section 303AB(3A) and (4)	12-Dec-2017 Item F2	
126.	Chief Executive Officer	Power, as an owner or occupier of busway land or busway transport infrastructure that is subject to a licence granted under section 303AB, to:- (a) claim compensation from the chief executive for loss or damage caused by a relevant activity, including by the taking or consumption of materials; and (b) enter into an agreement with the chief executive about the payment of compensation; or (c) in the absence of an agreement about the payment of compensation, commence proceedings in the Land Court for payment of compensation.	Section 303AC(2) and (4)	12-Dec-2017 Item F2	
127.	Chief Executive Officer	Power to construct, maintain and operate a non-State controlled road on a busway common area.	Section 303B(d)	12-Dec-2017 Item F2	
128.	Chief Executive Officer	Power to:- (a) consult with the chief executive concerning the nature and extent of the alteration of the level of the road for busway transport infrastructure works, or the management or operation of a busway, before the alteration is commenced; and (b) make an agreement regarding the amount payable to Council for costs incurred by Council in altering the road level.	Section 305(2)	12-Dec-2017 Item F2	
129.	Chief Executive Officer	Power to construct, maintain, and operate a road located on busway land, if permitted by the chief executive, by way of a bridge or other structure that allows traffic to pass over or under the level at which buses use the busway land.	Section 307(1)	12-Dec-2017 Item F2	
130.	Chief Executive Officer	Power to make an agreement with the chief executive concerning the maintenance of a road and a bridge or other structure located on busway land, and the costs of removing the bridge or other structure once it is no longer in use and the subsequent restoration of the busway land.	Section 307(5)	12-Dec-2017 Item F2	

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
131.	Chief Executive Officer	Power to enter into a contract with the chief executive for the following:- (a) carrying out busway transport infrastructure works on a busway or on land that is intended to become a busway; or (b) carrying out other works that contribute to the effectiveness and efficiency of the busway network; or (c) carrying out the operation of a busway; or (d) which powers of Council are to be exercised by the chief executive and which powers are to be exercised by Council for the busway – even though the contracted works or operations, as stated in (a), (b) or (c), relate to areas outside Council's area.	Section 308	12-Dec-2017 Item F2	
132.	Chief Executive Officer	Power, as an owner of land adjacent to a busway, to make a request to the chief executive for work to be carried out on the land and enter into a contract with the chief executive for the chief executive to carry out works on the land.	Section 308(5)	12-Dec-2017 Item F2	
133.	Chief Executive Officer	Power to enter into an arrangement with the chief executive for the sharing of costs, including preliminary costs, of— (a) acquiring land for busway transport infrastructure; or (b) busway transport infrastructure works on a busway; or (c) other works that contribute to the effectiveness and efficiency of the busway network; or (d) the operation of a busway.	Section 308(10)	12-Dec-2017 Item F2	
134.	Chief Executive Officer	Power to obtain the chief executive's written approval if Council intends to approve the erection, alteration or operation of any advertising sign or device that is visible from a busway and may reasonably create a traffic hazard, and the conditions applied by Council to the erection, alteration or operation of the sign or device do not comply with the chief executive's permission criteria.	Section 309	12-Dec-2017 Item F2	
135.	Chief Executive Officer	Power, as a public utility provider, to do the following things on busway land:- (a) build, replace or take away, or alter, other than for maintenance or repair, its public utility plant; (b) maintain or repair, or alter, for maintenance or repair, its public utility plant; (c) take reasonable steps to stop obstruction or potential obstruction to, or interference or potential interference with, its public utility plant.	Section 318(1)	12-Dec-2017 Item F2	
136.	Chief Executive Officer	Power, as a public utility provider, to seek written agreement from the chief executive for Council to do the things mentioned in subsection (1).	Section 318(2)	12-Dec-2017 Item F2	
137.	Chief Executive Officer	Power, as a public utility provider, to carry out urgent maintenance of its public utility plant on busway land without the written agreement of the chief executive, if acting in the interests of public safety and Council:- (a) makes all reasonable attempts to obtain the chief executive's oral agreement to the carrying out of the maintenance; and (b) whether or not the chief executive's oral agreement is obtained, acts as quickly as possible to advise the chief executive of the details of the maintenance being carried out.	Section 318(4)	12-Dec-2017 Item F2	



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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
138.	Chief Executive Officer	Power, as a public utility provider, to make a request to the chief executive to give Council information about lines and levels for planned busway transport infrastructure on busway land necessary to enable Council to minimise possible adverse affects of the establishment of the infrastructure on Council's works.	Section 319	12-Dec-2017 Item F2	
139.	Chief Executive Officer	Power, as a public utility provider, to enter into an agreement with the chief executive for the reduction of the cost to the chief executive for the replacement or reconstruction of a public utility plant owned by Council on busway land.	Section 328(2)(b)	12-Dec-2017 Item F2	
140.	Chief Executive Officer	Power to seek compensation from the chief executive for interference caused to land in which Council has an interest, or Council occupied land, by the establishment of busway transport infrastructure on busway land.	Sections 332, 333 and 335	12-Dec-2017 Item F2	
141.	Chief Executive Officer	Power, as an owner or occupier of land, to enter into an agreement with the chief executive, with regards to the establishment or proposed establishment of busway transport infrastructure on busway land, for:- (a) the supply by the chief executive, or a contribution by the chief executive towards the supply, of works for alternative access for Council's land; or (b) the carrying out, or a contribution towards carrying out, of other works in relation to Council's land for the purpose of access for Council's land.	Section 334(1)	12-Dec-2017 Item F2	
142.	Chief Executive Officer	Power to:- (a) enter into an agreement with the chief executive concerning the period upon which an agreement for compensation is to be entered into between the parties; (b) enter into an agreement with the chief executive for compensation within 60 days of the compensation application or within an agreed period; and (c) make an application to the Land Court for compensation.	Section 335(3)	12-Dec-2017 Item F2	
143.	Chief Executive Officer	Power to apply to the chief executive for accreditation as the busway manager for a busway.	Section 335AC	12-Dec-2017 Item F2	
144.	Chief Executive Officer	Power, as a busway manager, to apply to the chief executive for an amendment of the conditions of Council's accreditation as a busway manager.	Section 335AJ	12-Dec-2017 Item F2	
145.	Chief Executive Officer	Power, as a busway manager, to show the chief executive officer that Council's accreditation should not be suspended or cancelled.	Sections 335AL(2)(e) and 335AM(4)	12-Dec-2017 Item F2	
146.	Chief Executive Officer	Power, as a busway manager, to surrender Council's accreditation by written notice given to the chief executive.	Section 335AO	12-Dec-2017 Item F2	
147.	Chief Executive Officer	Power to apply to the chief executive for authorisation as an authorised busway user for a busway.	Section 337	12-Dec-2017 Item F2	
148.	Chief Executive Officer	Power, as an owner of a thing seized by a busway safety officer, to inspect the seized thing and, if it is a document, to copy it.	Section 346V	12-Dec-2017 Item F2	
149.	Chief Executive Officer	Power to claim compensation from the State if Council incurs loss or expense because of the exercise, or purported exercise, of a power under relevant busway legislation, including, for example in complying with a requirement made of Council under chapter 9, part 6.	Section 346Z	12-Dec-2017 Item F2	



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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
150.	Chief Executive Officer	Power, as an owner or occupier of land, to give permission to the chief executive, or a person authorised by the chief executive, to enter, occupy, or use Council's land in order to perform work other than urgent remedial work to facilitate or maintain the operation of light rail transport infrastructure.	Section 350(4)(a)	12-Dec-2017 Item F2	
151.	Chief Executive Officer	Power, as an owner or occupier of land, to make a claim for compensation from the chief executive for loss or damage caused by the entry, occupation, or use, including by the taking or consumption of materials, of Council's land by the chief executive or a person authorised by the chief executive for purposes relating to light rail transport infrastructure.	Section 351(2)	12-Dec-2017 Item F2	
152.	Chief Executive Officer	Power, as an owner or occupier of land, to commence proceedings in the Land Court against the chief executive for compensation in the absence of a prior agreement between Council and the chief executive for compensation.	Section 351(4)	12-Dec-2017 Item F2	
153.	Chief Executive Officer	Power, as a light rail manager, to:- (a) enter into a sublease with the State for an established light rail, or a proposed light rail, on light rail land, including the power to negotiate, and agree upon, the terms of the sublease, such as an option to renew; and (b) if Council attaches light rail transport infrastructure to the land subject of the original sublease, and subsequent subleases, enter into an agreement with the chief executive concerning ownership of the infrastructure.	Section 355	12-Dec-2017 Item F2	
154.	Chief Executive Officer	Power to seek a licence from the chief executive in relation to light rail land or light rail transport infrastructure for any of the following purposes— (a) construction, maintenance or operation of any thing on the land; (b) the use of the land or infrastructure for any purpose, including, for example, a commercial or retail purpose; (c) maintenance, management or operation of the land or infrastructure.	Section 355A(1)	12-Dec-2017 Item F2	
155.	Chief Executive Officer	Power, in relation to a licence granted under section 355A(1), to:- (a) surrender the licence; and (b) mortgage, sublicense or transfer the licence with the consent of the chief executive.	Section 355A(3A) and (4)	12-Dec-2017 Item F2	
156.	Chief Executive Officer	Power, as an owner or occupier of light rail land or light rail transport infrastructure that is subject to a licence granted under section 355A, to:- (a) claim compensation from the chief executive for loss or damage caused by a relevant activity, including by the taking or consumption of materials; and (b) enter into an agreement with the chief executive about the payment of compensation; or (c) in the absence of an agreement about the payment of compensation, commence proceedings in the Land Court for payment of compensation.	Section 355B(2) and (4)	12-Dec-2017 Item F2	



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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
157.	Chief Executive Officer	Power to:- (a) consult with the chief executive concerning the nature and extent of the alteration of the level of the road for light rail transport infrastructure works, or the management or operation of a light rail, before the alteration is commenced; and (b) make an agreement regarding the amount payable to Council for costs incurred by Council in altering the road level.	Section 357(2)	12-Dec-2017 Item F2	
158.	Chief Executive Officer	Power to construct, maintain, and operate a road located on light rail land, if permitted by the chief executive, which consists of a bridge or other structure to allow traffic to pass over the level at which light rail vehicles use the light rail land or a structure that allows traffic to pass under the level that light rail vehicles use the light rail land.	Section 358(1)	12-Dec-2017 Item F2	
159.	Chief Executive Officer	Power, as a light rail manager, to consult with the chief executive before the chief executive makes a decision regarding whether to give permission under subsection (1).	Section 358(2)	12-Dec-2017 Item F2	
160.	Chief Executive Officer	Power to make an agreement with the chief executive in relation to the following:- (a) maintenance of a road and a bridge or other structure located on light rail land; (b) the costs of removing the bridge, or other structure, once it is no longer in use; and (c) restoring the light rail land following the removal of the bridge or other structure.	Section 358(6)	12-Dec-2017 Item F2	
161.	Chief Executive Officer	Power, as a light rail manager, to consult with the chief executive before a designation under subsection (1) is made.	Section 359(3)	12-Dec-2017 Item F2	
162.	Chief Executive Officer	Power to consult with the chief executive before the chief executive includes any directions in the gazette notice designating light rail land as light rail land that is to be used as a road under the control of Council.	Section 359(6)	12-Dec-2017 Item F2	
163.	Chief Executive Officer	Power, as a light rail manager, to consult with the chief executive before a designation under subsection (1) is made.	Section 360(3)	12-Dec-2017 Item F2	
164.	Chief Executive Officer	Power to enter into a contract with the chief executive for the following:- (a) carrying out light rail transport infrastructure works on a light rail or on land that is intended to become a light rail; or (b) carrying out works on land affected by a light rail or proposed light rail, including, for example, road works on a road; or (c) carrying out other works that contribute to the effectiveness and efficiency of the light rail network; or (d) carrying out the operation of a light rail; or (e) carrying out the operation of a public passenger service using light rail transport infrastructure; or (f) which powers of Council are to be exercised by the chief executive and which are to be exercised by Council for the light rail – even though the contracted works or operations, as stated in (a)-(e), relate to areas outside Council's area.	Section 360A	12-Dec-2017 Item F2	



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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
165.	Chief Executive Officer	Power, as an owner of land adjacent to a light rail, to make a request to the chief executive for work to be carried out on the land and enter into a contract with the chief executive for the chief executive to carry out works on the land.	Section 360A(5)	12-Dec-2017 Item F2	
166.	Chief Executive Officer	Power to enter into an arrangement with the chief executive for the sharing of costs, including preliminary costs, of:- (a) acquiring land for light rail transport infrastructure; or (b) light rail transport infrastructure works on a on a light rail or land that is intended to become a light rail; or (c) works on land affected by a light rail or a proposed light rail, including, for example, road works on a road; or (d) other works that contribute to the effectiveness and efficiency of the light rail network; or (e) the operation of a light rail; or (f) the operation of a public passenger service using light rail transport infrastructure.	Section 360A(10)	12-Dec-2017 Item F2	
167.	Chief Executive Officer	Power, as a light rail manager, to:- (a) give written approval to allow a person to interfere with light rail transport infrastructure or light rail transport infrastructure works; and (b) consult with the chief executive before approval is given.	Section 362(1)(a) and (4)	12-Dec-2017 Item F2	
168.	Chief Executive Officer	Power, as a light rail manager, to give a written notice to a person who has interfered with light rail transport infrastructure, or light rail transport infrastructure works, requiring the person to rectify the interference, following consultation with the chief executive.	Section 363(2) and (3)	12-Dec-2017 Item F2	
169.	Chief Executive Officer	Power, as a light rail manager, to:- (a) rectify an interference with light rail transport infrastructure or light rail transport infrastructure works; and (b) recover the reasonable costs of rectifying the interference as a debt from the person who was given written notice of the interference.	Section 363(6) and (8)	12-Dec-2017 Item F2	
170.	Chief Executive Officer	Power, as a public utility provider, to do the following on light rail land:- (a) build, replace or take away, or alter, other than for maintenance or repair, its public utility plant; (b) maintain or repair, or alter, for maintenance or repair, its public utility plant; (c) take reasonable steps to stop obstruction or potential obstruction to, or interference or potential interference with, its public utility plant.	Section 366(1)	12-Dec-2017 Item F2	
171.	Chief Executive Officer	Power, regarding the matters mentioned in subsection (1) of the section:- (a) as a public utility provider, to seek written agreement from each light rail authority for the light rail land for Council to undertake the activities; or (b) as a light rail authority, to agree in writing to activities a public utility provider seeks to undertake.	Section 366(2)	12-Dec-2017 Item F2	



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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
172.	Chief Executive Officer	Power, as a public utility provider, to carry out urgent maintenance of its public utility plant on light rail land without written agreement of each light rail authority for the light rail land, if acting in the interests of public safety and if Council:- (a) makes all reasonable attempts to obtain each authority's oral agreement to the carrying out of the maintenance; and (b) whether or not each authority's oral agreement is obtained, acts as quickly as possible to advise each authority of the details of the maintenance being carried out.	Section 366(4)	12-Dec-2017 Item F2	
173.	Chief Executive Officer	Power, as a public utility provider, to make a request to the chief executive to give Council information about lines and levels for planned light rail transport infrastructure on light rail land necessary to enable Council to minimise possible adverse affects of the establishment of the infrastructure on Council's works.	Section 367	12-Dec-2017 Item F2	
174.	Chief Executive Officer	Power, as a light rail authority for light rail land, to consult with a public utility provider regarding a proposal by the provider to replace the whole or a substantial proportion of its public utility plant on light rail land.	Section 368	12-Dec-2017 Item F2	
175.	Chief Executive Officer	Power, as a light rail authority, to require a public utility provider, at the provider's cost and within the time stated in a written notice, to take action to remedy an action undertaken by the provider pursuant to section 366(1) of the Act:- (a) without the written or oral agreement of Council; or (b) in a way inconsistent with an agreement between Council and the provider.	Section 369(2)	12-Dec-2017 Item F2	
176.	Chief Executive Officer	Power, as a light rail authority, to arrange for action the authority considers necessary to remedy the action undertaken by a public utility provider pursuant to section 366(1), should the provider fail to comply with subsection (2) notice.	Section 369(5)	12-Dec-2017 Item F2	
177.	Chief Executive Officer	Power, as a light rail authority, to ask a public utility provider owning public utility plant located on light rail land to give information defining the location of the plant.	Section 371(2)	12-Dec-2017 Item F2	
178.	Chief Executive Officer	Power, as a light rail authority, to agree to be liable for any damage to public utility plants located on light rail land.	Sections 372, 373 and 374	12-Dec-2017 Item F2	
179.	Chief Executive Officer	Power, regarding replacement or reconstruction of a public utility plant on light rail land:- (a) as a light rail manager, to enter into an agreement with a public utility provider for the reduction of the cost to Council of the replacement or reconstruction of public utility plant owned by the provider; or (b) as a public utility provider, to enter into an agreement with a light rail authority for the reduction of the cost to the authority of the replacement or reconstruction of a public utility plant owned by Council.	Section 376(2)(b)	12-Dec-2017 Item F2	
180.	Chief Executive Officer	Power, as a light rail manager, to give permission to a person to be on light rail, light rail land, light rail transport infrastructure or light rail transport infrastructure works site.	Section 377	12-Dec-2017 Item F2	
181.	Chief Executive Officer	Power to enter into a light rail franchise agreement with the Minister.	Section 377B	12-Dec-2017 Item F2	



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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
182.	Chief Executive Officer	Power to give the Minister a written notice claiming that part of a light rail franchise agreement or an amendment to the agreement should be treated as confidential on the grounds of commercial confidentiality.	Section 377D(2)(a)	12-Dec-2017 Item F2	
183.	Chief Executive Officer	Power to:- (a) apply to the chief executive for compensation for compensable taking of overhead wiring easement or compensable overhead wiring damage; or (b) make an agreement with the chief executive to:- (i) allow a longer period during which a compensation application can be settled; or (ii) settle a compensation application; or (c) apply to the Land Court for the compensation.	Section 377R	12-Dec-2017 Item F2	
184.	Chief Executive Officer	Power to seek compensation from the chief executive for an interference with access to land, in which Council has an interest, caused by the establishment of light rail transport infrastructure.	Sections 380 and 383(1)	12-Dec-2017 Item F2	
185.	Chief Executive Officer	Power, as an owner or occupier of land, to enter into an agreement with the chief executive, with regards to the establishment or proposed establishment of light rail transport infrastructure on light rail land, for:- (a) the supply by the chief executive, or a contribution by the chief executive towards the supply, of works for alternative access for Council's land; or (b) the carrying out, or a contribution towards carrying out, of other works in relation to Council's land for the purpose of access for Council's land.	Section 382(1)	12-Dec-2017 Item F2	
186.	Chief Executive Officer	Power to enter into an agreement with the chief executive with regards to the period of time during which an agreement for compensation can be made for an act done under chapter 10, part 4, division 5.	Section 383(3)	12-Dec-2017 Item F2	
187.	Chief Executive Officer	Power to apply to the Land Court to decide a compensation claim under subsection (1).	Section 383(3)(a)	12-Dec-2017 Item F2	
188.	Chief Executive Officer	Power, as an affected person, to enter into negotiations with the person proposing a development under Chapters 9 or 10 with regards to the entry to Council land.	Section 403(1)	12-Dec-2017 Item F2	
189.	Chief Executive Officer	Power to apply to the chief executive for an investigator's authority for the land.	Section 403(2)	12-Dec-2017 Item F2	
190.	Chief Executive Officer	Power, as an affected person, to consult with the chief executive about the proposed entry onto Council's land by a person proposing a development under Chapters 9 or 10.	Section 404(1)(a)	12-Dec-2017 Item F2	
191.	Chief Executive Officer	Power:- (a) as an affected person, to give written consent to an investigator or an associated person of the investigator to enter Council's land; or (b) as an authorised investigator, to enter land with the affected person's written consent.	Section 407(3)	12-Dec-2017 Item F2	
192.	Chief Executive Officer	Power, as an authorised investigator, to allow an associated person of Council to act under Council's authority.	Section 408(1)	12-Dec-2017 Item F2	
193.	Chief Executive Officer	Power, as an affected person, to ask an individual who has entered, is entering or is about to enter Council's land under an investigator's authority for identification or about the individual's authority to enter the land.	Section 408(4)	12-Dec-2017 Item F2	

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
194.	Chief Executive Officer	Power, as an investigator under chapter 11, to do anything necessary or desirable to minimise the damage or inconvenience to an affected person's land.	Section 410(b)	12-Dec-2017 Item F2	
195.	Chief Executive Officer	Power, as an affected person, to require the investigator, once the investigator has finished investigating, to rectify loss or damage suffered by Council as a consequence of:- (a) the investigator entering the land; (b) the use made of the land by the investigator; (c) anything brought onto the land by the investigator; or (d) anything done or left on the land by the investigator under its authority.	Section 411(1)	12-Dec-2017 Item F2	
196.	Chief Executive Officer	Power, as an affected person, to give the investigator a compensation notice for the loss or damage to Council's land that was not rectified.	Section 411(2)	12-Dec-2017 Item F2	
197.	Chief Executive Officer	Power, as an affected person or as an investigator under chapter 11, to:- (a) make an agreement with the other party in relation to the compensation payable as a result of the failure to rectify the affected person's land; or (b) make an application to the Land Court to decide the compensation amount.	Section 412(2)	12-Dec-2017 Item F2	
198.	Chief Executive Officer	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.	Section 420	12-Dec-2017 Item F2	
199.	Chief Executive Officer	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.	Section 420(3)	12-Dec-2017 Item F2	
200.	Chief Executive Officer	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.	Section 422	12-Dec-2017 Item F2	
201.	Chief Executive Officer	Power to impose reasonable conditions on an approval given to a licensee's application made by Council or the Minister.	Section 423	12-Dec-2017 Item F2	
202.	Chief Executive Officer	Power to jointly, with a licensee applicant, appoint an independent arbitrator to resolve a dispute concerning approval conditions.	Section 426(1)	12-Dec-2017 Item F2	
203.	Chief Executive Officer	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.	Section 426(2)	12-Dec-2017 Item F2	
204.	Chief Executive Officer	Power, as an operational licensee, to make an agreement with the State regarding the ownership of miscellaneous transport infrastructure.	Section 431	12-Dec-2017 Item F2	
205.	Chief Executive Officer	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.	Section 432(3)	12-Dec-2017 Item F2	



Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
206.	Chief Executive Officer	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.	Section 434	12-Dec-2017 Item F2	
207.	Chief Executive Officer	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.	Section 435	12-Dec-2017 Item F2	
208.	Chief Executive Officer	Power to apply to the chief executive for an exemption from complying with a provision of a regulation about transporting dangerous goods by rail	Section 443(1)	12-Dec-2017 Item F2	
209.	Chief Executive Officer	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.	Section 458	12-Dec-2017 Item F2	
210.	Chief Executive Officer	Power to consent to Council's appointment as a manager of a public marine facility.	Section 459(2)	12-Dec-2017 Item F2	
211.	Chief Executive Officer	Power, as the manager of a public marine facility, to exercise all its functions, powers and obligations under the <i>Local Government Act 2009</i> , and do anything Council considers necessary or convenient for the facility's effective and efficient management.	Section 462	12-Dec-2017 Item F2	
212.	Chief Executive Officer	Power, as the manager of a public marine facility, to impose fees for the use of the facility, whether as a condition of an approval to use the facility or otherwise, and recover the fee as a debt owing to Council.	Section 466	12-Dec-2017 Item F2	
213.	Chief Executive Officer	Power, as the manager of a public marine facility, to resign.	Section 467	12-Dec-2017 Item F2	
214.	Chief Executive Officer	Power, as the manager of a public marine facility, to remove, within 3 months of its resignation or the revocation of the appointment, any improvements to the facility added by Council that do not form an integral part of the facility.	Section 468	12-Dec-2017 Item F2	
215.	Chief Executive Officer	Power, as an occupier of a place, to give consent to an authorised person under Chapter 15 to enter the place.	Section 475I	12-Dec-2017 Item F2	
216.	Chief Executive Officer	Power, as an occupier of a place, to sign an acknowledgement of the consent given to an authorised person under Chapter 15 to enter the place.	Section 475J(3) and (5)	12-Dec-2017 Item F2	
217.	Chief Executive Officer	Power to make submissions to the chief executive in relation to a proposed declaration of a transport interface management area.	Section 475Z(2)	12-Dec-2017 Item F2	
218.	Chief Executive Officer	Power to enter into a transport interface agreement for a transport interface.	Section 475ZJ	12-Dec-2017 Item F2	
219.	Chief Executive Officer	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.	Section 476B(7)(b)	12-Dec-2017 Item F2	



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Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
220.	Chief Executive Officer	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.	Section 476C(2)	12-Dec-2017 Item F2	
221.	Chief Executive Officer	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).	Section 476C(4)(a)	12-Dec-2017 Item F2	
222.	Chief Executive Officer	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> .	Section 477(4)	12-Dec-2017 Item F2	
223.	Chief Executive Officer	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.	Section 477C	12-Dec-2017 Item F2	
224.	Chief Executive Officer	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.	Section 477E	12-Dec-2017 Item F2	
225.	Chief Executive Officer	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.	Section 477G	12-Dec-2017 Item F2	
226.	Chief Executive Officer	Power to retain penalties received or recovered by Council in relation to Council's tolling enforcement.	Section 480(4)	12-Dec-2017 Item F2	
227.	Chief Executive Officer	Power, as the manager of a public marine facility, to retain fees or other amounts recovered by Council pursuant to section 466 and not paid into the consolidated fund.	Section 480(8)	12-Dec-2017 Item F2	
228.	Chief Executive Officer	Power to ask the chief executive to review a decision described in schedule 3 that has affected Council's interests.	Section 485	12-Dec-2017 Item F2	
229.	Chief Executive Officer	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.	Section 485A	12-Dec-2017 Item F2	
230.	Chief Executive Officer	Power to enter an appeal to the Planning and Environment Court against the chief executive's decision on a review under section 485.	Section 485B	12-Dec-2017 Item F2	
231.	Chief Executive Officer	Power, as a railway manager, to make an agreement with the chief executive regarding the period in which it must give the chief executive a written notice identifying the preserved train paths relating to Council's railway.	Section 576(2)(b)	12-Dec-2017 Item F2	

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Transport Operations (Marine Pollution) Act 1995					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to consult with the State, the port authority or port operator, if required, in preparing a response to a discharge or probable discharge of pollutant into coastal waters.	Section 93(5)	12-Dec-2017 Item F2	

Transport Operations (Marine Safety) Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power as a public authority to make a submission on a proposal to prepare a draft standard.	219C(4)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power as a public authority to make a submission on a draft standard.	219E(3)	12-Dec-2017 Item F2	

Transport Operations (Marine Safety) Regulation 2016					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to give the general manager a proposal for an area (a proposed area) to be a marine zone under section 177 of the <i>Transport Operations (Marine Safety) Regulation 2016</i> .	Section 179(1)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to consult with the proposing entity, if it is a government entity, about a proposal under section 179 of the <i>Transport Operations (Marine Safety) Regulation 2016</i> .	Section 180(1)(a)(iii)	12-Dec-2017 Item F2	

Transport Operations (Road Use Management) Act 1995					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to install and remove official traffic signs on Council's roads, off-street regulated parking areas and, with the chief executive's written consent, on declared roads.	Section 69	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to install official traffic signs where reasonably satisfied that there is a danger, hindrance, obstruction to traffic or other emergency.	Section 71	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to take proceedings against a person who has committed an offence under section 74(1) of <i>Transport Operations (Road Use Management) Act</i> .	Section 74(2)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to remove unauthorised traffic signs.	Section 75(1)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to commence proceedings against a person who has injured one of Council's official traffic signs.	Section 76(1)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to remove and detain at a place for safe keeping any vehicles, trams and animals and any goods, equipment or thing contained in, on or about the vehicle, tram or animal, where the requirements of section 100(1) are satisfied.	Section 100	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to regulate parking in its area on a road (other than a declared road), on a declared road (with the chief executive's written permission) or on an off-street regulated parking area.	Section 101(1)	12-Dec-2017 Item F2	

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Transport Operations (Road Use Management) Act 1995					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
8.	Chief Executive Officer	Power to regulate parking by installing official traffic signs indicating how parking is regulated.	Section 102(1)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to exercise control over land for use as an off-street parking area under an arrangement with a person who owns or has an interest in the land.	Section 104	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to install a parking meter or parkatarea for a designated parking space if it is installed in a way specified by the MUTCD or approved by the chief executive.	Section 105(5)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to enter into an agreement with the commissioner of police in respect of annual or periodical payments to the commissioner of police for costs incurred in the carrying out of duties by police officers enforcing parking regulations.	Section 109(1)	12-Dec-2017 Item F2	

Trusts Act 1973					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, where appointed trustee for certain purposes, to administer trust property.	Section 116	12-Dec-2017 Item F2	

Waste Reduction and Recycling Act 2011					
<p>Note: The State (via DERM as it was previously known) has delegated certain powers of the chief executive to local governments under section 263(1)(b) of the <i>Waste Reduction and Recycling Act 2011</i>. This has been done via the Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015. The delegations specifically include the power to sub-delegate to an "appropriately qualified entity"</p>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as the operator of a waste disposal site required to hold an environmental authority for the disposal of more than 10000t of waste in a year at the site to install prescribed under a regulation, to install and keep in proper working order, a weighbridge (Nb. this obligation does not come into operation until the day provided in section 8(2) of the Regulation).	Section 43	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as the operator of a waste disposal site at which a weighbridge is installed, to measure and record waste.	Section 44	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as the operator of a waste disposal site, to prepare a waste data return for each reporting period.	Section 52	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to apply to the chief executive for accreditation as scheme manager for a voluntary product stewardship scheme.	Section 89	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a participant in an accredited stewardship scheme, to amend the scheme by agreement with all other participants in the scheme.	Section 95	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as scheme manager of an accredited stewardship scheme that the minister is proposing to revoke, to make written submissions to show why the proposed action to revoke the accreditation should not be taken.	Section 97	12-Dec-2017 Item F2	

**Waste Reduction and Recycling Act 2011**

Note: The State (via DERM as it was previously known) has delegated certain powers of the chief executive to local governments under section 263(1)(b) of the *Waste Reduction and Recycling Act 2011*. This has been done via the Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015. The delegations specifically include the power to sub-delegate to an "appropriately qualified entity"

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
7.	Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	Section 110	12-Dec-2017 Item F2	As this power relates to Chapter 5, Part 2 of the Act.
8.	Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	Section 111	12-Dec-2017 Item F2	As this power relates to Chapter 5, Part 2 of the Act.
9.	Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to direct a responsible entity to collect material from premises.	Section 112	12-Dec-2017 Item F2	As this power relates to Chapter 5, Part 2 of the Act.
10.	Chief Executive Officer	Power, as a local government, to prepare and implement a waste reduction and recycling plan (Nb. this obligation does not commence until 30 June 2015).	Section 123	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to make written submissions where the chief executive intends to prepare a waste reduction and recycling plan for the local government to address an aspect that is relevant to the local government.	Section 128	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as a local government, to give the chief executive a report about the operation, in the financial year, of all the local government's waste reduction and recycling plans in force in its local government area (Nb. this obligation does not commence until 2 months after 30 June 2015).	Section 147	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as a reporting entity, to give the chief executive a report about the entity's receiving, sorting, recycling, treatment or disposal of waste in the financial year.	Section 152	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to make a submission about a potential end of waste code	Section 160	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to make a submission about a draft end of waste code	Section 165	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to apply to amend an end of waste code	Section 168	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to respond to a request from the chief executive for further information on an amendment application and agree to extend the stated period.	Section 170	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, in relation to an end of waste code which the chief executive proposes to amend, cancel or suspend, to make written submissions about the proposed action.	Section 172	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to give the chief executive a notice stating that Council intends to become a registered resource producer for the code.	Section 173B	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to respond to a notice issued by the chief executive.	Section 173D	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to respond to a request for advice, comment or information about the operation of an end of waste code issued by the chief executive.	Section 173H	12-Dec-2017 Item F2	



Waste Reduction and Recycling Act 2011

Note: The State (via DERM as it was previously known) has delegated certain powers of the chief executive to local governments under section 263(1)(b) of the *Waste Reduction and Recycling Act 2011*. This has been done via the Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015. The delegations specifically include the power to sub-delegate to an "appropriately qualified entity"

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
22.	Chief Executive Officer	Power to apply to the chief executive for an end of waste approval for 1 kind of waste.	Section 173I	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to respond to a request from the chief executive for further information or documents required to decide the end of waste approval application and to agree to extend the stated period.	Section 173J	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to comply with the conditions of an end of waste approval.	Section 173P	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to apply to the chief executive to extend an end of waste approval.	Section 173Q	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to apply to the chief executive to amend or transfer an end of waste approval.	Section 173S	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power to respond to a request from the chief executive for further information or documents required to decide the amendment application and to agree to extend the stated period.	Section 173T	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power to respond to a notice received from the chief executive proposing to amend, cancel or suspend an end of waste approval.	Section 173Y(3)(f)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to surrender an end of waste approval by giving notice to the chief executive.	Section 173ZA	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to respond to a notice from the chief executive requiring information about an end of waste approval.	Section 173ZB	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power to give the chief executive advice, comment or information about the operation of Chapter 8, Part 3.	Section 173ZC	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, where given, or entitled to be given, an information notice for a decision, to apply to the chief executive for an internal review of the decision.	Section 175	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, apply for an internal review of the decision.	Section 175	12-Dec-2017 Item F2	As this power relates to sections 248(2) and 253(3) of the Act.
34.	Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, extend the time for making an internal review application.	Section 176(2)	12-Dec-2017 Item F2	As this power relates to sections 248(2) and 253(3) of the Act.
35.	Chief Executive Officer	Power, where an internal review application has been made, to apply for a stay of the original decision.	Section 177	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, conduct an internal review of the original decision and decide the internal review application.	Section 178	12-Dec-2017 Item F2	As this power relates to sections 248(2) and 253(3) of the Act.
37.	Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, give notice of an internal review decision.	Section 179	12-Dec-2017 Item F2	As this power relates to sections 248(2) and 253(3) of the Act.
38.	Chief Executive Officer	Power, where given, or entitled to be given, a QCAT information notice under section 179 of the <i>Waste Reduction and Recycling Act 2011</i> , to apply to QCAT, under the QCAT Act, for external review of the decision.	Section 180	12-Dec-2017 Item F2	

**Waste Reduction and Recycling Act 2011**

Note: The State (via DERM as it was previously known) has delegated certain powers of the chief executive to local governments under section 263(1)(b) of the *Waste Reduction and Recycling Act 2011*. This has been done via the Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015. The delegations specifically include the power to sub-delegate to an "appropriately qualified entity"

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
39.	Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to appoint a person as an authorised person.	Section 183 and	12-Dec-2017 Item F2	Any appointment of an authorised person must be subject to the limitation that an authorised person can only exercise the powers in section 117 and Chapter 10 of the Act in relation to the following offences: - Chapter 5, Parts 1, 2 and 3, Division 1 and 2 of the Act; - Section 251(a); - Section 251(c); - Section 254; and - Section 264.
40.	Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to issue an identity card to an authorised person.	Section 187	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a show cause notice.	Section 246	12-Dec-2017 Item F2	As this power relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2) and 112(2) of the Act.
42.	Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a compliance notice.	Sections 248 and 249	12-Dec-2017 Item F2	As this power relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2) and 112(2) of the Act.
43.	Chief Executive Officer	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.	Sections 253	12-Dec-2017 Item F2	As this power relates to section 104 of the Act.
44.	Chief Executive Officer	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.	Sections 261	12-Dec-2017 Item F2	

Waste Reduction and Recycling Regulation 2011

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, where Council has, by resolution, designated areas to conduct general waste or green waste collection, to decide the frequency of general waste or green waste collection in designated areas. Note: this power expires on 01 July 2018. If Council conducts general waste or green waste collection as a significant business activity, see the <i>Local Government Act 2009</i>.	Section 7(b)	12-Dec-2017 Item F2	



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Waste Reduction and Recycling Regulation 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
2.	Chief Executive Officer	Power to give the information required by sections 41Q(2) and 41Q(3) to the Chief Executive	Section 41Q	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to give the information required by sections 41ZL(1) and 41ZL(2) to the Chief Executive.	Section 41ZL	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to prepare an emergency plan and keep it up to date.	Section 41ZM	12-Dec-2017 Item F2	

Water Act 2000					
<p>Note: By virtue of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> the following councils do NOT have powers as "service provider" under the <i>Water Act 2000</i>: Sunshine Coast Regional Council; Moreton Bay Regional Council; Brisbane City Council; Ipswich City Council; Scenic Rim Regional Council; Lockyer Valley Regional Council; Somerset Regional Council.</p>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a service provider directed to impose water restrictions under section 25D, to provide the Minister with a response stating the way it intends to ensure the restrictions are complied with.	Section 25C(d)(iii)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a service provider directed to achieve outcomes, to provide the Minister with a response stating: 1. its intended actions to achieve those outcomes; and 2. if the actions include restrictions; how it intends to ensure compliance with the restrictions.	Section 25C(d)(v)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a service provider, to comply with a direction given under a water supply emergency declaration.	Section 25E	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a service provider and to the extent stated in a declaration or regulation, to recover, as a debt due, from Council's customers or other service providers: (a) contributions made by the State; and (b) costs in section 25O(1) <i>Water Act 2000</i> to the extent approved by the Minister; and (c) the rate of return.	Section 25O	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a service provider, to apply to the Minister for compensation for loss or damage because of actions taken under Chapter 1A, Part 1 <i>Water Act 2000</i> and to provide other relevant information required by the Minister.	Section 25R	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a service provider who has made an application under section 25R, to provide the information the Minister requires to decide the application.	Section 25T	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a service provider, to comply with a notice requiring information issued by the chief executive.	Section 25Y	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a service provider, to apply for written approval to restrict the use of subartesian water by a customer of the water service provider in an area if the water is taken, other than for stock purposes, for a purpose mentioned in subsections 25ZA(1)(a) or (b).	Section 25ZA(1)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a service provider, to respond to a request for further information about the application from the chief executive.	Section 25ZA(3)	12-Dec-2017 Item F2	

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Water Act 2000

Note: By virtue of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* the following councils do NOT have powers as "service provider" under the *Water Act 2000*: Sunshine Coast Regional Council; Moreton Bay Regional Council; Brisbane City Council; Ipswich City Council; Scenic Rim Regional Council; Lockyer Valley Regional Council; Somerset Regional Council.

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
10.	Chief Executive Officer	Power, as a service provider outside the SEQ region or a designated region, with the written approval of the chief executive, to impose a restriction on the use of subartesian water.	Section 25ZE	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a person who is completing works that have been started, to give the chief executive notice about the works by the day stated in the moratorium notice.	Section 30(3)(d)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as an owner of land, to stop construction of the work by the completion day and apply to the Minister for an extension of the completion day.	Section 33(2)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as person who is authorised, or has an entitlement to take or interfere with water, to provide information requested by the chief executive under section 35.	Section 35	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as an owner of land, to give the chief executive an owner's notice.	Section 36	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to respond to a notice of public consultation on a proposed water plan.	Section 44	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to make a submission on a draft water plan.	Section 46	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to make a submission in response to a notice of the Minister's intention to postpone the expiry of a water plan.	Section 54	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to make submissions in response to a notice of the making of a draft water use plan.	Section 61	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to consult with the chief executive about the amendment or replacement of a water management protocol.	Section 69(2)(c)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to make submissions in response to a notice of the making of a draft water entitlement notice.	Section 72	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to take water for any of the purposes referred to in section 93.	Section 93	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to interfere with water for any of the purposes referred to in section 94.	Section 94	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power as owner of land to take water for stock or domestic purposes.	Section 96	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power to take overland flow water that is not more than the volume necessary to satisfy the requirements of;- (a) an environmental authority; or (b) a development permit for carrying out an environmentally relevant activity.	Section 97(1)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power to interfere with the flow water by impoundment if the interference is not more than is necessary to satisfy the requirements of an environmental authority.	Section 97(2)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as a constructing authority or water service provider, to take water to operate public showers or toilets.	Section 99(1)	12-Dec-2017 Item F2	

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**Water Act 2000**

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
27.	Chief Executive Officer	Power, as a constructing authority, to take water to construct or maintain infrastructure.	Section 99(2)	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, subject to any relevant alteration or limitation prescribed under a moratorium notice, water plan or a regulation under section 1046 to:- (a) take water to carry out an activity prescribed by regulation; (b) take overland flow water; (c) take or interfere with underground water; (d) take water that has been collected in a dam other than a dam across a watercourse or lake.	Section 101(1)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power to, in a water plan area, subject to any relevant alteration or limitation prescribed under a moratorium notice:- (a) take water up to a volume stated in the water plan for the area; (b) take water if doing so is necessary to carry out an activity stated in the water plan for the area; (c) interfere with water to the extent stated in the water plan for the area.	Section 102(1)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power to, where there is no water plan or where the water plan for the area does not provide for the taking or interfering with water up to a volume stated in the plan, subject to any relevant alteration or limitation prescribed under a moratorium notice:- (a) take water up to a volume prescribed by regulation; (b) interfere with water to the extent prescribed by regulation.	Section 102(3)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as an owner of land, to take water from a watercourse, lake or spring for stock or domestic purposes in the circumstances described in subsections (a) or (b).	Section 103	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as an owner of a parcel or parcels of land, to apply for a water licence for the parcel or parcels.	Section 107	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as a prescribed entity, to apply for a water licence for taking water or interfering with the flow of water.	Section 107(4)	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power, as an entity mentioned in subsection (1), to apply for a transmission water licence.	Section 108	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.	Section 111	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power to give public notice of an application for a water licence in compliance with a notice received from the chief executive.	Section 112(3), (4) & (5)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power to give the chief executive evidence of the publication.	Section 112(6)	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power to apply for 1 or more dealings with a water licence, take all steps to progress the application and give notice of the application (if required).	Sections 121, 122, 123, 126 and 127	12-Dec-2017 Item F2	

**Water Act 2000**

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
39.	Chief Executive Officer	Power to apply to have a water licence reinstated.	Section 125	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.	Section 128	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power to respond to a show cause notice issued by the chief executive pursuant to subsection (3).	Section 134	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power to surrender a water licence.	Section 136	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power to apply for a water permit for an activity.	Section 137	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as a allocation holder and as a resource operations licence holder to enter a supply contract for the allocation.	Section 147(4)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power, licence holder, to require the allocation holder to give reasonable security for supplying and storing the allocation.	Section 149	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power to respond to a requirement from the chief executive to give additional information about the correction and to verify the information by statutory declaration.	Section 151	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power, as a licence holder in a circumstance prescribed in subsection (1), to agree that the obligation on the water allocation holder to pay a charge has been satisfied.	Section 154(2)	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power, as a licence holder in a circumstance prescribed in subsection (1), to give notice in the approved form to the chief executive of an agreement reached under subsection (2).	Section 154(3)	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power, as an allocation holder in a circumstance prescribed in subsection (1), to give a disclosure statement and acknowledgement notice for the water allocation before entering a contract for the transfer or lease of the water allocation.	Section 155	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power, as a water allocation holder who proposes to transfer or lease a water allocation not managed under a resource operations licence, to give the chief executive notice of the proposed transfer or lease.	Section 157	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power, as a water allocation holder, to apply to the chief executive for a water allocation dealing, other than a transfer or lease, under the water allocation dealing rules and to take all steps to comply with the rules.	Section 159	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as a water allocation holder, given a certificate under sections 157 or 159 to lodge it with the registrar.	Section 161	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as a water allocation holder, to surrender the water allocation by agreement with the chief executive.	Section 162(1)	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power, as the holder of a licence, to consent to the surrender of the water allocation with or without conditions.	Section 162(2)	12-Dec-2017 Item F2	


Water Act 2000

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
55.	Chief Executive Officer	Power, as the holder of a resource operations licence or distribution operations licence, to otherwise agree with the chief executive about the liability for fees under the supply contract or distribution arrangements.	Section 162(3)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power, as the holder of water allocation, to respond to a show cause notice as to why the allocation should not be forfeited.	Section 164(2)	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power, as a person having an entitlement to exercise a power of sale in relation to a water allocation, to give notice of the proposed exercise of the power to any person having a registered interest in the water allocation.	Section 166(5)	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power, as a person having an entitlement to exercise a power of sale in relation to a water allocation, to apply an amount received on the sale of the water allocation in the way mentioned in section 164(7).	Section 166(6)	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power to search and obtain copies of documents in the water allocations register and pay any fees associated with the request.	Section 175	12-Dec-2017 Item F2	
60.	Chief Executive Officer	Power, as a nominator, to give the chief executive notice in the approved form nominating a nominee to be the holder of a distribution operations licence.	Section 178	12-Dec-2017 Item F2	
61.	Chief Executive Officer	Power, as an entity mentioned in section 176(2) to apply for a resource operations licence for existing or proposed water infrastructure.	Section 181(1)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power, as an entity mentioned in section 177(2) to apply for a distribution operations licence for existing or proposed water infrastructure.	Section 181(2)	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to consult with the chief executive about a proposed amendment of the licence.	Section 183(3)	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amend the licence and pay any fee associated with the application.	Section 184	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to agree with the chief executive about the amendment of the licence.	Section 186	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power, as the holder of a resource operations licence or the holder of a distribution operations licence or the current infrastructure owner, to apply to the chief executive to transfer the licence and pay any fee associated with the application.	Section 187	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power, as the current infrastructure owner or incoming owner, to give written consent to the application to transfer.	Section 188	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.	Section 189	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amalgamate the licence with another licence in the same water supply scheme and pay any fee associated with the application.	Section 193	12-Dec-2017 Item F2	


Water Act 2000

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
70.	Chief Executive Officer	Power, as allocation licence holder, to respond to a show cause notice issued by the chief executive about the proposed cancellation of the licence.	Section 195	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to agree with the chief executive that the licence is no longer required and that it can be cancelled.	Section 196	12-Dec-2017 Item F2	
72.	Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to prepare the operations manual and submit it together with the sufficient information to the chief executive for approval.	Section 197	12-Dec-2017 Item F2	
73.	Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to publish the approved operations manual on Council's website.	Section 198(3)	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to have those parts of the operations manual that were not approved referred to a referral panel.	Section 199(3)	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amend or replace an operations manual.	Section 200(1)	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power, as the holder of a relevant licence, to apply to the chief executive to amend the relevant licence.	Section 200(4)	12-Dec-2017 Item F2	
77.	Chief Executive Officer	Power, as the holder of the licence, to publish a statement of the changes made to the operations manual.	Section 200(6)	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power, in the circumstances prescribed in subsections (1) or (3), to review the operations manual and apply to the chief executive to amend it.	Section 201	12-Dec-2017 Item F2	
79.	Chief Executive Officer	Power, as an entity referred to in subsection (1), 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.	Section 203(2)	12-Dec-2017 Item F2	
80.	Chief Executive Officer	Power to apply for an operations licence.	Section 206	12-Dec-2017 Item F2	
81.	Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.	Section 207	12-Dec-2017 Item F2	
82.	Chief Executive Officer	Power to apply to the chief executive to amend an operations licence.	Section 211	12-Dec-2017 Item F2	
83.	Chief Executive Officer	Power, as the holder of an operations licence, to respond to a show cause notice issued by the chief executive about the proposed amendment or cancellation of the licence.	Section 212	12-Dec-2017 Item F2	
84.	Chief Executive Officer	Power, as the holder of an operations licence, to consent to a different day being stated in the operations licence.	Section 213(4)	12-Dec-2017 Item F2	
85.	Chief Executive Officer	Power, as a licensee or a new water entitlement holder, in circumstances where subsection (2) applies, to consent to the amendment including the new holder instead of the previous holder.	Section 213(5)	12-Dec-2017 Item F2	



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Water Act 2000

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
86.	Chief Executive Officer	Power, as a licensee, to apply to transfer the operations licence and pay any fee associated with the application.	Section 215	12-Dec-2017 Item F2	
87.	Chief Executive Officer	Power, as a licensee, to surrender an operations licence by giving the chief executive a notice of surrender	Section 216	12-Dec-2017 Item F2	
88.	Chief Executive Officer	Power to apply to the chief executive for a permit to excavate or place fill in a watercourse, lake or spring.	Section 218	12-Dec-2017 Item F2	
89.	Chief Executive Officer	Power as the registered owner of land to consent to the making of an application for a permit to excavate or place fill in a watercourse, lake or spring.	Section 218(3)	12-Dec-2017 Item F2	
90.	Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.	Section 219	12-Dec-2017 Item F2	
91.	Chief Executive Officer	Power, as a permittee, to respond to a show cause notice issued by the chief executive about the proposed amendment or cancellation of a riverine protection permit.	Section 222	12-Dec-2017 Item F2	
92.	Chief Executive Officer	Power, as an owner of land to comply with a notice issued by the chief executive pursuant to subsection (3).	Section 225(5)	12-Dec-2017 Item F2	
93.	Chief Executive Officer	Power to apply for an allocation of quarry material.	Section 227	12-Dec-2017 Item F2	
94.	Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application, to pay the chief executive the reasonable amount and to verify the information by statutory declaration.	Section 228	12-Dec-2017 Item F2	
95.	Chief Executive Officer	Power, as an allocation notice holder, to apply to transfer all or part of the allocation to another person and pay any fee associated with the application.	Section 235	12-Dec-2017 Item F2	
96.	Chief Executive Officer	Power, as an allocation notice holder, to apply to renew the allocation notice before it expires.	Section 236	12-Dec-2017 Item F2	
97.	Chief Executive Officer	Power, as an allocation holder, to respond to a show cause notice issued by the chief executive about the proposed amendment, suspension or cancellation of the allocation notice.	Section 237	12-Dec-2017 Item F2	
98.	Chief Executive Officer	Power, as an allocation holder, to surrender the allocation notice by giving the chief executive a notice of surrender.	Section 239	12-Dec-2017 Item F2	
99.	Chief Executive Officer	Power, as an allocation holder, to pay the royalty or price payable for quarry material removed under the allocation notice.	Section 240	12-Dec-2017 Item F2	
100.	Chief Executive Officer	Power to make written submissions in response to a notice published pursuant to section 345 of the <i>Water Act 2000</i>	Section 345	12-Dec-2017 Item F2	
101.	Chief Executive Officer	Power to prepare a draft water security program	Section 354	12-Dec-2017 Item F2	
102.	Chief Executive Officer	Power to prepare a revised draft water security program	Section 357(4)	12-Dec-2017 Item F2	

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Water Act 2000

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
103.	Chief Executive Officer	Power to decide not to prepare a revised draft water security program	Section 357(6)	12-Dec-2017 Item F2	
104.	Chief Executive Officer	Power to finalise a water security program	Section 358	12-Dec-2017 Item F2	
105.	Chief Executive Officer	Power to review a water security program	Section 359	12-Dec-2017 Item F2	
106.	Chief Executive Officer	Power to amend a water security program	Section 360	12-Dec-2017 Item F2	
107.	Chief Executive Officer	Power, as a bulk water party, to amend a bulk water supply agreement	Section 360H	12-Dec-2017 Item F2	
108.	Chief Executive Officer	Power, as a bulk water party to an amended bulk water supply agreement, to respond to Minister's notice under section 360I	Section 360I	12-Dec-2017 Item F2	
109.	Chief Executive Officer	Power, as a code regulated entity to make submissions to the Minister about the making or amending of the bulk water code	Section 360U	12-Dec-2017 Item F2	
110.	Chief Executive Officer	Power to make a submission to the responsible entity about a proposed underground water impact report or final report and give a copy of the submission to the chief executive.	Section 382	12-Dec-2017 Item F2	
111.	Chief Executive Officer	Power, as an owner of land, to comply with any reasonable request by the holder made under subsection (1).	Section 404	12-Dec-2017 Item F2	
112.	Chief Executive Officer	Power, as an owner of a water bore the holder reasonably believes has an impaired capacity, to negotiate and enter into an agreement with the holder about the matters listed in subsection (2).	Section 406	12-Dec-2017 Item F2	
113.	Chief Executive Officer	Power, as an owner of a water bore, to comply with any reasonable request by the tenure holder made under subsection (1).	Section 416	12-Dec-2017 Item F2	
114.	Chief Executive Officer	Power, as an owner of a water bore for which a responsible tenure holder has undertaken a bore assessment under division 2, to negotiate and enter into make good agreement for the bore.	Section 423	12-Dec-2017 Item F2	
115.	Chief Executive Officer	Power, as an owner of a water bore who has entered a make good agreement for the bore, to terminate the agreement within the cooling off period by giving written notice to the responsible tenure holder for the water bore.	Section 423A	12-Dec-2017 Item F2	
116.	Chief Executive Officer	Power, as a party to a make good agreement, in the circumstances specified in subsection (1), to:- (a) give a notice under subsection (2); and (b) negotiate a variation of a make good agreement for the water bore.	Section 424	12-Dec-2017 Item F2	
117.	Chief Executive Officer	Power, as a party to a dispute referred to in section 425 to give the other party, and where necessary the chief executive, an election notice.	Section 426	12-Dec-2017 Item F2	
118.	Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to ask for and agree to a longer period to finish the conference or ADR.	Section 427(4)	12-Dec-2017 Item F2	
119.	Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to attend a conference.	Section 429(1)	12-Dec-2017 Item F2	

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Water Act 2000

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
120.	Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to seek the authorised officer's approval for someone else to be present at the conference.	Section 429(3)	12-Dec-2017 Item F2	
121.	Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to agree to the other party being represented by a lawyer.	Section 429(4)	12-Dec-2017 Item F2	
122.	Chief Executive Officer	Power, as a party who attended the conference where the other party did not attend, to apply to the Land Court for Council's costs.	Section 430	12-Dec-2017 Item F2	
123.	Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to negotiate an agreement about the matters the subject of the conference and to sign the agreement on Council's behalf.	Section 433	12-Dec-2017 Item F2	
124.	Chief Executive Officer	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> .	Section 434(3)	12-Dec-2017 Item F2	
125.	Chief Executive Officer	Power, as an owner of a water bore, to comply with a requirement of the chief executive to give the information referred to in subsection (2).	Section 454	12-Dec-2017 Item F2	
126.	Chief Executive Officer	Power to make a submission in response to a proposal to amend the establishment regulation for a water authority.	Section 556	12-Dec-2017 Item F2	
127.	Chief Executive Officer	Power to make a submission in response to a proposal to change the composition of the board of a water authority.	Section 598A	12-Dec-2017 Item F2	
128.	Chief Executive Officer	Power, as a landholder who receives a notice from the chief executive, to make a submission regarding a proposed amalgamation or dissolution of water authorities.	Section 692	12-Dec-2017 Item F2	
129.	Chief Executive Officer	Power, as a relevant registered owner of land in the authority area, to enter a closed water activity agreement.	Section 695A	12-Dec-2017 Item F2	
130.	Chief Executive Officer	Power to agree in writing with the water authority to a proposed transfer by the water authority to the local government of all or part of the authority's functions and on how to implement the proposed transfer.	Section 700A(1)(a)(i)	12-Dec-2017 Item F2	
131.	Chief Executive Officer	Power, together with a water authority, to notify the Minister of their agreement about the proposed transfer and on how it is to be implemented and ask for the Minister's approval of the proposed transfer.	Section 700A(1)(b)	12-Dec-2017 Item F2	
132.	Chief Executive Officer	Power to comply with a requirement of the Minister made under this subsection.	Section 700A(2)	12-Dec-2017 Item F2	
133.	Chief Executive Officer	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.	Section 862	12-Dec-2017 Item F2	
134.	Chief Executive Officer	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.	Section 877	12-Dec-2017 Item F2	
135.	Chief Executive Officer	Power, as less of the leased land, to provide written consent to arrangements about the route the person may use across the lessee's land for the removal of the quarry material.	Section 966(2)(a)	12-Dec-2017 Item F2	

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
136.	Chief Executive Officer	Power to make submissions to the chief executive in response to a show cause notice issued pursuant to section 972H(2) and to comply with any notice issued pursuant to section 972H(3).	Sections 972H(2) and (3)	12-Dec-2017 Item F2	
137.	Chief Executive Officer	Power to make submissions to the chief executive in response to a show cause notice issued pursuant to section 972I(1) and to comply with any notice issued pursuant to section 972I(2).	Sections 972I(1) and (2)	12-Dec-2017 Item F2	
138.	Chief Executive Officer	Power to make submissions to the chief executive in response to a show cause notice issued pursuant to section 972J(2) and to comply with any notice issued pursuant to section 972J(3).	Sections 972J(2) and (3)	12-Dec-2017 Item F2	
139.	Chief Executive Officer	Power to give a claim for compensation under Chapter 8, Part 3 to the chief executive.	Section 988	12-Dec-2017 Item F2	
140.	Chief Executive Officer	Power, if one of the stated authorities, to have a supply contract with SEQ Water for Council's water entitlement.	Section 992C	12-Dec-2017 Item F2	
141.	Chief Executive Officer	Power, as an owner of land to which the expired licence attached, to apply to the chief executive:- (a) to reinstate the licence and make a validating declaration; or (b) to replace the licence and make a validating declaration.	Section 1273A	12-Dec-2017 Item F2	
142.	Chief Executive Officer	Power, as holder of the new licence, to request the chief executive to make a validating declaration in relation to the licence.	Section 1273B	12-Dec-2017 Item F2	

Water Fluoridation Act 2008

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to decide that fluoride be added to the water supply and to give the requisite notice (if applicable) to the water supplier.	Section 7(1) and (2)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to decide that fluoride not be added to the water supply and to give the requisite notice (if applicable) to the water supplier.	Section 7(3) and (4)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to give the chief executive notice stating the Council has made a fluoridation decision and to publish that notice.	Section 13(2)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to give the chief executive a fluoridation notice and to publish that notice.	Section 13(3)	12-Dec-2017 Item F2	

Water Regulation 2016

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, in relation to an original licence, to apply to the chief executive for a transfer, amendment or amalgamation and to pay the application fee.	Section 34	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as the holder of the original licence, to swear the statutory declaration required in subsection (3)(b)(i)	Section 34(3)(b)(i)	12-Dec-2017 Item F2	

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Water Regulation 2016					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
3.	Chief Executive Officer	Power, as an interested entity, to provide written consent to the proposed transfer, amendment or amalgamation.	Section 34(3)(b)(ii)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as an applicant under section 34, to give the chief executive a transfer notice.	Section 37	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as the holder of a water allocation, to apply to the chief executive for a seasonal water assignment for the water allocation for the water year in which the application is made and to pay the application fee.	Section 58(1)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as the holder of a seasonal water assignment notice, to apply to the chief executive for a seasonal water assignment for the seasonal water assignment notice for the water year in which the application is made and to pay the application fee.	Section 58(2)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to comply with a notice issued by the chief executive under subsection (2).	Section 64(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to give the chief executive evidence of the publication.	Section 64(5)(a)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to give the chief additional information required under subsection (1) and to verify the information by statutory declaration.	Section 65	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, where Council has made an application under section 63, to pay the estimated cost to the chief executive.	Section 66(3)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to comply with a meter notice issued by the chief executive.	Section 108	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to arrange for a validation inspection to be carried out on a meter and to give a copy of the validation certificate to the chief executive.	Section 112	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to comply with a notice from the chief executive requiring Council to read a meter and provide the meter reading to the chief executive.	Section 113(3)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to pay a meter operating charge to the chief executive.	Section 115	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to pay a meter use charge to the chief executive.	Section 116	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to give the chief executive a notice that Council has decided to stop using an approved meter.	Section 117(1)	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to pay the metering exit charge.	Section 117(3)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, after receiving a transfer notice, to give written notice to the chief executive that Council is refusing to accept the transfer	Section 119(3)	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power as a licensee to pay the water licence fee stated in the notice received from the chief executive.	Section 131(2)(b)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to pay a charge levied by a notice received from the chief executive pursuant to this section.	Section 134(1)(d)	12-Dec-2017 Item F2	

**Water Supply (Safety and Reliability) Act 2008**

Note: By virtue of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* the following councils do NOT have powers as "service provider" under the *Water Supply (Safety and Reliability) Act 2008* Sunshine Coast Regional Council; Moreton Bay Regional Council; Brisbane City Council; Ipswich City Council; Scenic Rim Regional Council; Lockyer Valley Regional Council; Somerset Regional Council

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a responsible entity, to respond to a notice to give information received from the regulator.	Section 13	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a local government that owns infrastructure for supplying water or sewerage services, to apply for registration as a service provider.	Sections 20 and 21(1)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as an applicant under section 20 of the <i>Water Supply (Safety and Reliability) Act 2008</i> , to give additional information to the regulator about the application.	Section 21(2)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a service provider, to apply to change the service provider's details of registration in the service provider register.	Section 23	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a service provider, to review the service provider's registration details in the service provider register and notify the regulator of any changes in the details.	Section 23A	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a current infrastructure owner, to give to the regulator notice of the transfer of the ownership of infrastructure for the relevant service or notice of transfer of the registration as service provider for the relevant service.	Section 25A	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, to respond to the regulator's request to give additional information about a transfer notice.	Section 25A(3)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as service provider, to give notice to the regulator that the service provider is likely to stop supplying a registered service.	Section 26(2) and 26(7)(b)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as service provider, to respond to a request by the regulator for additional information about a possible stoppage.	Section 26(4)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as service provider, to give notice to the regulator that the service provider has stopped supplying a registered service.	Section 26(8)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as service provider, to apply to the regulator to cancel the registration as a service provider if the service provider is not supplying, and does not intend to start supplying, the service for which the provider is registered.	Section 28	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as applicant, to respond to a request by the regulator for additional information about a cancellation of registration as a service provider.	Section 28(4)	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as service provider, to give a person a notice requiring them to provide a reason why Council should not disconnect their unauthorised connection.	Section 33(2)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as service provider, to consider a response provided to a notice issued pursuant to section 33(2).	Section 33(4)	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as service provider, to recover from a person, as a debt, Council's costs in disconnecting the unauthorised connection, and the value of any service used by the person through the connection.	Section 33(4) (b)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as service provider, to give a person a notice requiring them to rectify equipment or remove vegetation or other things.	Section 34(2)	12-Dec-2017 Item F2	



Water Supply (Safety and Reliability) Act 2008					
Note: By virtue of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> the following councils do NOT have powers as "service provider" under the <i>Water Supply (Safety and Reliability) Act 2008</i> Sunshine Coast Regional Council; Moreton Bay Regional Council; Brisbane City Council; Ipswich City Council; Scenic Rim Regional Council; Lockyer Valley Regional Council; Somerset Regional Council					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
17.	Chief Executive Officer	Power, as service provider, to recover from an owner as a debt, Council's costs in doing the work required to be done in a notice issued under section 34(2) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 34(3)	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, as service provider, to install or approve the installation of a meter and to decide the position of the meter, on infrastructure supplying water to premises.	Section 35	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as service provider, to give a person an entry notice.	Section 36(2)(b)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power, as service provider, to recover from a person as a debt, the amount of the loss or reasonable cost of repairing damage to Council's infrastructure caused by the person.	Section 40(2)	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as water service provider, to restrict: (a) the volume of water taken by or supplied to a customer or type of customer; or (b) the hours when water may be used on premises for stated purposes; or (c) the way water may be used on premises.	Section 41(1)	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power, as a water service provider, to give notice of a service provider water restriction imposed by the service provider to anyone affected by it.	Section 43(1)	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, as a water service provider, to shut off water supply to premises for the time reasonably necessary to perform work on the infrastructure.	Section 44(1)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as a water service provider, to give notice of shut off of water supply to anyone likely to be affected by it.	Sections 44(2) and 44(4)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as service provider, to shut off water supply without notice if there is: (a) a serious risk to public health; (b) likelihood of serious injury to persons or damage to property; or (c) another emergency.	Section 44(3)	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as service provider, to appoint an authorised person.	Section 45	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, as service provider, to issue an identity card to an authorised person.	Section 46	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, as service provider, to give a customer, or type of customer, a written notice to prepare a plan and to give it to Council within a reasonable period.	Section 52(3)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as service provider, to require the customer to give additional information about the plan within a reasonable period, for deciding whether or not to approve a water efficiency management plan.	Section 54(1)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power, as service provider, to approve or refuse a water efficiency management plan.	Section 54(2)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as service provider, to give an information notice.	Section 54(3)	12-Dec-2017 Item F2	


Water Supply (Safety and Reliability) Act 2008

Note: By virtue of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* the following councils do NOT have powers as "service provider" under the *Water Supply (Safety and Reliability) Act 2008* Sunshine Coast Regional Council; Moreton Bay Regional Council; Brisbane City Council; Ipswich City Council; Scenic Rim Regional Council; Lockyer Valley Regional Council; Somerset Regional Council

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
32.	Chief Executive Officer	Power, as service provider, where the water efficiency management plan is not approved, to extend the 20 business day period within which the customer must amend the plan to address the reasons for the decision and give the revised plan to Council under section 54(4) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 54(5)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as service provider, to recover from the customer, as a debt, an application fee for the approval of a water efficiency management plan.	Section 54(7)	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power, as service provider, to give the chief executive:- (a) a copy of an approved water efficiency management plan; or (b) information about a plan that has not yet been approved; or (c) a report summarising progress by the water service provider's customers in achieving water savings and efficiencies.	Section 56(3)	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as a service provider, to comply with a written direction of the Chief Executive	Section 57(2)	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, as a service provider, to give a customer a written notice requiring the customer to:- (a) amend the plan and give it to the water service provider within the reasonable period stated by the water service provider; or (b) prepare a new water efficiency management plan and give it to the water service provider within the reasonable period stated by the water service provider.	Section 58(2)	12-Dec-2017 Item F2	
37.	Chief Executive Officer	Power, as a service provider, to approve a request to amend an approved water efficiency management plan or a request that a new water efficiency management plan be prepared.	Section 59	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as a service provider, to give a customer a notice to comply with a water efficiency management plan.	Section 60	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as a service provider, to require a customer to review a water efficiency management plan.	Section 61	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as a drinking water service provider, to prepare a drinking water quality management plan.	Section 95	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, as a drinking water service provider, to provide information requested by the regulator.	Section 96	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as a drinking water service provider, to amend, with the agreement of the Regulator, a drinking water quality management plan.	Section 99A	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, as a drinking water service provider, to apply to amend a drinking water quality management plan.	Section 100	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as drinking water service provider, to make submissions in response to a show cause notice issued by the regulator regarding proposed amendments to the drinking water quality management plan.	Section 101	12-Dec-2017 Item F2	


Water Supply (Safety and Reliability) Act 2008

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
45.	Chief Executive Officer	Power, as drinking water service provider, to comply with a notice issued by the regulator pursuant to section 101(3)(a) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 101(4)	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power, as drinking water service provider, to notify the regulator any noncompliance with the water quality criteria relating to the service and the circumstances that gave rise to the noncompliance.	Section 102	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power, as drinking water service provider that obtains water for the drinking water service from a water storage or other infrastructure not part of a water service for which there is a drinking water quality management plan, to give notice to the owner of the water storage or other infrastructure asking for information reasonably required about the quality of the water.	Section 103	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power, as a service provider, to review a drinking water quality management plan, in accordance with the notice given by the regulator under section 99..	Section 106(1)	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power, as a service provider, to amend a drinking water quality management plan to reflect the changes to the operation of the water service and to apply to the regulator to approve the amended plan.	Section 107(2)	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power, as a service provider, to arrange for the preparation of a drinking water quality management plan audit report and to give it to the regulator.	Section 108	12-Dec-2017 Item F2	
51.	Chief Executive Officer	Power, as a service provider, to arrange for the preparation of a performance audit report and to give it to the regulator.	Section 108A	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power, as a service provider, to comply with an information notice given by the regulator pursuant to section 110(6) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 110(7)	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as a service provider, to give access to the service provider's infrastructure and records relating to the infrastructure to the auditor and any person employed or authorised by the auditor.	Section 112	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power, as a service provider who does not have service contract with all of its customers, to prepare a proposed customer service standard and publish it.	Section 115(1)	12-Dec-2017 Item F2	
55.	Chief Executive Officer	Power, as a service provider who does not have service contract with all of its customers, to consider all submission made in response to the proposed customer service standard and prepare a final customer service standard.	Section 115(3)	12-Dec-2017 Item F2	
56.	Chief Executive Officer	Power, as a service provider, to revise a customer service standard if required to by the regulator under section 118 of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 119	12-Dec-2017 Item F2	
57.	Chief Executive Officer	Power, as a service provider, to review a customer service standard.	Section 120	12-Dec-2017 Item F2	
58.	Chief Executive Officer	Power, as a relevant service provider, to prepare a drinking water quality management plan report for each financial year after a financial year in which a relevant service provider's drinking water quality management plan has been approved and give a copy to the regulator.	Section 142(2)	12-Dec-2017 Item F2	
59.	Chief Executive Officer	Power, as a relevant service provider, to prepare a performance report for each financial year and give a copy to the regulator.	Section 142A(2)	12-Dec-2017 Item F2	



Organisational Services
Organisational Services Administration

Water Supply (Safety and Reliability) Act 2008					
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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
60.	Chief Executive Officer	Power, as a relevant service provider, to prepare a system operating plan report for each financial year and give a copy to the regulator.	Section 142B(2)	12-Dec-2017 Item F2	
61.	Chief Executive Officer	Power, as service provider providing a retail water service, to fix a meter and/or seal to a private fire fighting system.	Section 144(2)	12-Dec-2017 Item F2	
62.	Chief Executive Officer	Power to give notice of the making or amendment of a declaration under section 161 of the <i>Water Supply (Safety and Reliability) Act 2008</i> and to make the notice available for inspection and purchase.	Section 162	12-Dec-2017 Item F2	
63.	Chief Executive Officer	Power, as a service provider, to:- (a) keep a map of the service area; (b) update the map, at least annually.	Section 163	12-Dec-2017 Item F2	
64.	Chief Executive Officer	Power, as service provider, to recover from a customer the reasonable costs of complying with its obligations under section 164 of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 165	12-Dec-2017 Item F2	
65.	Chief Executive Officer	Power, as service provider, to impose conditions on the installation of water storage tanks and pumps, where the customer wants to connect to Council's water supply services.	Section 166(3)	12-Dec-2017 Item F2	
66.	Chief Executive Officer	Power, as service provider, to advise the owner of premises of any work the service provider considers reasonably necessary to be carried out on the premises and any reasonable connection fee to enable the premises to be connected to the service provider's infrastructure.	Section 167(2)	12-Dec-2017 Item F2	
67.	Chief Executive Officer	Power, as service provider, to issue a notice to the owner of premises in Council's service area, requiring the owner to carry out works for connecting the premises to a registered service.	Section 168	12-Dec-2017 Item F2	
68.	Chief Executive Officer	Power, as service provider, to issue a notice to an owner or occupier, requiring them to stop contravening a restriction or pay the rate or charge for the service.	Section 169(1)	12-Dec-2017 Item F2	
69.	Chief Executive Officer	Power, as service provider, to reduce the water supply to premises to the minimum level necessary for health and sanitation purposes, where the circumstances described in section 169(1) of the <i>Water Supply (Safety and Reliability) Act 2008</i> apply.	Section 169(2)	12-Dec-2017 Item F2	
70.	Chief Executive Officer	Power, as sewerage service provider, to give a person a trade waste approval or a seepage water approval with or without conditions.	Sections 180 and 181	12-Dec-2017 Item F2	
71.	Chief Executive Officer	Power, as sewerage service provider, to suspend or cancel a trade waste approval or seepage water approval.	Section 182	12-Dec-2017 Item F2	Complying with section 183 of the <i>Water Supply (Safety and Reliability) Act 2008</i>
72.	Chief Executive Officer	Power, as sewerage service provider, to immediately suspend or cancel a trade waste approval or seepage water approval if urgent action is necessary in the interests of public health or safety, to prevent environmental harm, or to prevent damage to the sewerage system or the sewerage service provider has been given a regulator notice prohibiting the sewerage service provider from giving the trade waste approval or seepage water approval.	Section 184	12-Dec-2017 Item F2	

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Water Supply (Safety and Reliability) Act 2008					
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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
73.	Chief Executive Officer	Power, as sewerage service provider, to, by notice given to the approval holder, amend the approval to ensure it is consistent with the conditions mentioned in section 185(1)(a) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 185	12-Dec-2017 Item F2	
74.	Chief Executive Officer	Power, as service provider, to give or refuse written consent for a person to connect or disconnect from Council's infrastructure.	Section 191	12-Dec-2017 Item F2	
75.	Chief Executive Officer	Power, as service provider, to give or refuse written consent for a person to interfere with Council's infrastructure.	Section 192(1)	12-Dec-2017 Item F2	
76.	Chief Executive Officer	Power, as a service provider, to give or refuse written consent for a person to: (a) build over; (b) interfere with access to; (c) increase or reduce the cover over; or (d) change the surface of land in a way causing ponding of water over an access chamber for; Council's infrastructure.	Section 192(2)	12-Dec-2017 Item F2	
77.	Chief Executive Officer	Power, as service provider, to give or refuse written consent for a person to discharge water from an ornamental pond, swimming pool or filtration system of a swimming pool into Council's infrastructure.	Section 193(3)	12-Dec-2017 Item F2	
78.	Chief Executive Officer	Power, as service provider, to give or refuse written consent for a person to take water from Council's infrastructure.	Section 195	12-Dec-2017 Item F2	
79.	Chief Executive Officer	Power, as a relevant entity for a recycled water scheme to apply for registration of the scheme.	Section 196AA	12-Dec-2017 Item F2	
80.	Chief Executive Officer	Power, as a relevant entity for a recycled water scheme, other than a CSG recycled water scheme, to give additional information about an application under section 196AA to the regulator and to verify the information in a statutory declaration.	Section 196AB	12-Dec-2017 Item F2	
81.	Chief Executive Officer	Power, as a relevant entity for a recycled water scheme, other than a CSG recycled water scheme, to change the details of the registration that are recorded in the register.	Section 196AD	12-Dec-2017 Item F2	
82.	Chief Executive Officer	Power, as a relevant entity for a recycled water scheme, other than a CSG recycled water scheme, to apply to cancel the registration if recycled water is no longer supplied under the scheme.	Section 196AE	12-Dec-2017 Item F2	
83.	Chief Executive Officer	Power, as the relevant entity of a recycled water scheme, to apply to the regulator for approval of a recycled water management plan for the scheme.	Section 202	12-Dec-2017 Item F2	
84.	Chief Executive Officer	Power, as the relevant entity of a recycled water scheme, to respond to the regulator's request for additional information or to verify any information by statutory declaration.	Section 203	12-Dec-2017 Item F2	
85.	Chief Executive Officer	Power, as a recycled water provider for a single-entity recycled water scheme, to give the regulator notice of the stoppage or proposed stoppage of production or supply of recycled water.	Section 208(2)	12-Dec-2017 Item F2	
86.	Chief Executive Officer	Power, as a recycled water provider for a single-entity recycled water scheme, to stop supply of recycled water to the entity if the entity is using the water other than in a way or for the purpose provided for under the recycled water management plan.	Section 208(3)	12-Dec-2017 Item F2	


Water Supply (Safety and Reliability) Act 2008

Note: By virtue of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* the following councils do NOT have powers as "service provider" under the *Water Supply (Safety and Reliability) Act 2008* Sunshine Coast Regional Council; Moreton Bay Regional Council; Brisbane City Council; Ipswich City Council; Scenic Rim Regional Council; Lockyer Valley Regional Council; Somerset Regional Council

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
87.	Chief Executive Officer	Power, as a scheme manager for a multiple-entity recycled water scheme, to give the regulator notice of the recycled water provider's stoppage or proposed stoppage of production or supply of recycled water.	Section 208(5)	12-Dec-2017 Item F2	
88.	Chief Executive Officer	Power, as a recycled water provider for a multiple-entity recycled water scheme, to stop supply of recycled water to an entity if the entity is using the water other than in a way or for the purpose provided for under the recycled water management plan.	Section 208(6)	12-Dec-2017 Item F2	
89.	Chief Executive Officer	Power, as the relevant entity for recycled water scheme, to amend the recycled water management plan with the regulator's agreement.	Section 209	12-Dec-2017 Item F2	
90.	Chief Executive Officer	Power, as a recycled water provider for a single-entity recycled water scheme, to make a submission in response to the regulator's show cause notice issued under section 210(2) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 210(3)	12-Dec-2017 Item F2	
91.	Chief Executive Officer	Power, as a recycled water provider for a single-entity recycled water scheme, to amend a recycled water management plan in the way required by a notice issued by the regulator under section 210(3) of the <i>Water Supply (Safety and Reliability) Act 2008</i> and to give a copy of the amended plan to the regulator.	Section 210(3)(a)	12-Dec-2017 Item F2	
92.	Chief Executive Officer	Power, as the scheme manager or declared entity for a multiple-entity recycled water scheme, to make a submission in response to the regulator's show cause notice issued under section 211(2) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 211(3)	12-Dec-2017 Item F2	
93.	Chief Executive Officer	Power, as a scheme manager or declared entity for a multiple-entity recycled water scheme, to amend the manager's scheme manager plan or the entity's scheme provider plan in the way required by a notice issued by the regulator under section 211(3) of the <i>Water Supply (Safety and Reliability) Act 2008</i> and to give a copy of the amended plan to the regulator.	Sections 211(3)(a) and 211(5)	12-Dec-2017 Item F2	
94.	Chief Executive Officer	Power, as a r entity for the recycled water scheme to apply to the regulator for approval of an amendment to a recycled water management plan.	Sections 212	12-Dec-2017 Item F2	
95.	Chief Executive Officer	Power, as the responsible entity, scheme manager or declared entity for a recycled water scheme, to make submissions in response to the regulator's show cause notice issued under section 213(2)(a) or (b) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 213(3)	12-Dec-2017 Item F2	
96.	Chief Executive Officer	Power, as the relevant entity for a recycled water management plan that has been suspended under Chapter 3 Part 2 of the <i>Water Supply (Safety and Reliability) Act 2008</i> , to apply to the regulator for approval to resume supply of recycled water under the scheme.	Section 215(1)	12-Dec-2017 Item F2	
97.	Chief Executive Officer	Power, as the relevant entity for a recycled water management plan that has been suspended under Chapter 3 Part 2 of the <i>Water Supply (Safety and Reliability) Act 2008</i> , to comply with a direction of the regulator pursuant to section 215(4)(c) or (d) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Sections 215(4)(c) and 215(4)(d)	12-Dec-2017 Item F2	

**Water Supply (Safety and Reliability) Act 2008**

Note: By virtue of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* the following councils do NOT have powers as "service provider" under the *Water Supply (Safety and Reliability) Act 2008* Sunshine Coast Regional Council; Moreton Bay Regional Council; Brisbane City Council; Ipswich City Council; Scenic Rim Regional Council; Lockyer Valley Regional Council; Somerset Regional Council

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
98.	Chief Executive Officer	Power, as a recycled water provider for a recycled water scheme that is not a critical recycled water scheme, to notify the regulator of a proposal to permanently stop the supply of water under the scheme.	Section 230(2)	12-Dec-2017 Item F2	
99.	Chief Executive Officer	Power, as a relevant entity for a critical recycled water scheme, to notify the regulator of a proposal to permanently stop the supply of water under the scheme.	Section 230(4)	12-Dec-2017 Item F2	
100.	Chief Executive Officer	Power, as the relevant entity for the recycled water scheme, to provide information or to verify information by statutory declaration as required by the regulator under section 230(6) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 230(6)	12-Dec-2017 Item F2	
101.	Chief Executive Officer	Power, as a relevant entity for a recycled water scheme, to notify the regulator of a stoppage in the supply of recycled water under the scheme.	Section 230(9)	12-Dec-2017 Item F2	
102.	Chief Executive Officer	Power, as the relevant entity for the recycled water scheme that augments the supply of drinking water, to apply to the regulator for approval of a validation program.	Section 237	12-Dec-2017 Item F2	
103.	Chief Executive Officer	Power, as the relevant entity for the recycled water scheme that augments the supply of drinking water, to provide information or information verified by statutory declaration as required by the regulator under section 238(1) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Section 238(1)	12-Dec-2017 Item F2	
104.	Chief Executive Officer	Power, as the relevant entity for the recycled water scheme that augments the supply of drinking water, to apply to the regulator to amend the approved validation program.	Section 242	12-Dec-2017 Item F2	
105.	Chief Executive Officer	Power, as a recycled water provider for a single-entity recycled water scheme to review the approved recycled water management plan for the scheme.	Section 258(1)	12-Dec-2017 Item F2	
106.	Chief Executive Officer	Power, as a scheme manager for a multiple-entity recycled water scheme to arrange for a review of the approved recycled water management plan for the scheme	Section 258(2)	12-Dec-2017 Item F2	
107.	Chief Executive Officer	Power, as a recycled water provider for a single-entity recycled water scheme to amend the approved recycled water management plan for the scheme and apply to the regulator for approval of the amended plan.	Section 259(2)	12-Dec-2017 Item F2	
108.	Chief Executive Officer	Power, as a scheme manager for a multiple-entity recycled water scheme to amend the manager's scheme manager plan for the scheme.	Section 259(3)(a)	12-Dec-2017 Item F2	
109.	Chief Executive Officer	Power, as a declared entity for a multiple-entity recycled water scheme to amend the entity's scheme provider plan for the scheme.	Section 259(3)(b)	12-Dec-2017 Item F2	
110.	Chief Executive Officer	Power, as a scheme manager for a multiple-entity recycled water scheme to apply to the regulator for approval of the amended recycled water management plan for the scheme.	Section 259(4)	12-Dec-2017 Item F2	
111.	Chief Executive Officer	Power, as a recycled water provider for a single-entity recycled water scheme or a scheme manager for a multiple-entity recycled water scheme, to arrange for an internal audit report and give it to the regulator.	Sections 260(1) and 260(2)	12-Dec-2017 Item F2	

**Water Supply (Safety and Reliability) Act 2008**

Note: By virtue of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* the following councils do NOT have powers as "service provider" under the *Water Supply (Safety and Reliability) Act 2008* Sunshine Coast Regional Council; Moreton Bay Regional Council; Brisbane City Council; Ipswich City Council; Scenic Rim Regional Council; Lockyer Valley Regional Council; Somerset Regional Council

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
112.	Chief Executive Officer	Power, as a recycled water provider for a single-entity recycled water scheme or a scheme manager for a multiple-entity recycled water scheme, to arrange for an audit report and give it to the regulator.	Sections 261(1) and 261(2)	12-Dec-2017 Item F2	
113.	Chief Executive Officer	Power, as recycled water service provider for a single-entity recycled water scheme, to respond to the regulator's show cause notice about a proposed spot audit.	Section 262(3)	12-Dec-2017 Item F2	
114.	Chief Executive Officer	Power, as the scheme manager or declared entity for a multiple-entity recycled water scheme, to respond to the regulator's show cause notice about a proposed spot audit.	Section 262(3)	12-Dec-2017 Item F2	
115.	Chief Executive Officer	Power, as the responsible entity, to comply with the regulator's notice issued pursuant to section 262(8) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .	Sections 262(8) and 262(9)	12-Dec-2017 Item F2	
116.	Chief Executive Officer	Power, as the relevant entity and any declared entity for a recycled water scheme, to give the auditor, and any person employed or authorised by the auditor, free and uninterrupted access to the infrastructure forming part of the scheme and any records relating to the infrastructure.	Sections 265	12-Dec-2017 Item F2	
117.	Chief Executive Officer	Power, as an alerting entity, to inform the regulator and the responsible entity for the non-compliance that the quality of recycled water produced or supplied under the recycled water scheme for the entity does not comply with the water quality criteria for the recycled water relevant to the scheme.	Sections 270(2)	12-Dec-2017 Item F2	
118.	Chief Executive Officer	Power, as a responsible entity for the non-compliance, to give the regulator notice of the following:- (a) the noncompliance and the circumstances that gave rise to the noncompliance; (b) any action taken, or to be taken, by the entity to correct the noncompliance; (c) the measures the entity will take to prevent the noncompliance in the future.	Sections 270(4)	12-Dec-2017 Item F2	
119.	Chief Executive Officer	Power, as an alerting entity, to inform the regulator and the responsible entity for the prescribed incident about a prescribed incident.	Sections 271(2)	12-Dec-2017 Item F2	
120.	Chief Executive Officer	Power, as a responsible entity for the non-compliance, to give the regulator notice of the following:- (a) the prescribed incident and the circumstances that gave rise to the prescribed incident; (b) any action taken, or to be taken, by the entity relating to the prescribed incident; (c) the measures the entity will take to prevent the prescribed incident in the future.	Sections 271(4)	12-Dec-2017 Item F2	
121.	Chief Executive Officer	Power, as a relevant entity for a recycled water scheme, to prepare an annual report about the scheme and give it to the regulator.	Section 273	12-Dec-2017 Item F2	
122.	Chief Executive Officer	Power, as a relevant entity for a recycled water scheme to augment a supply of drinking water, or a relevant entity for a recycled water scheme to premises by way of a dual reticulation system, to prepare and make publicly available a public report about the scheme.	Section 274	12-Dec-2017 Item F2	
123.	Chief Executive Officer	Power, as recycled water provider or another entity, to respond to a notice issued by the regulator pursuant to this section.	Section 302	12-Dec-2017 Item F2	
124.	Chief Executive Officer	Power, as a recycled water provider, or other entity for a multiple-entity recycled water scheme, to make submissions regarding the regulator's intention to make a declaration that the recycled water scheme is a critical recycled water scheme.	Section 303	12-Dec-2017 Item F2	


Water Supply (Safety and Reliability) Act 2008

Note: By virtue of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* the following councils do NOT have powers as "service provider" under the *Water Supply (Safety and Reliability) Act 2008* Sunshine Coast Regional Council; Moreton Bay Regional Council; Brisbane City Council; Ipswich City Council; Scenic Rim Regional Council; Lockyer Valley Regional Council; Somerset Regional Council

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
125.	Chief Executive Officer	Power, as the relevant entity for a critical recycled water scheme, to ask the regulator to review the making of the declaration that the scheme is a critical recycled water scheme, after one year since the declaration was made.	Section 306	12-Dec-2017 Item F2	
126.	Chief Executive Officer	Power, as sewerage service provider, to comply with a regulator notice.	Section 330	12-Dec-2017 Item F2	
127.	Chief Executive Officer	Power, as a sewerage service provider, to give the regulator a report about the actions taken to comply with a regulator notice.	Section 331	12-Dec-2017 Item F2	
128.	Chief Executive Officer	Power, as a recycled water provider or other declared entity, to give the scheme manager, information the scheme manager reasonably requires to comply with the scheme manager's obligations under the Act.	Section 333	12-Dec-2017 Item F2	
129.	Chief Executive Officer	Power, as the owner of a dam, to have it failure impact assessed, give it to the chief executive and pay the prescribed fee.	Sections 343, 344 and 345	12-Dec-2017 Item F2	
130.	Chief Executive Officer	Power, as the owner of a dam, to pay the cost of preparing and certifying a failure impact assessment where required under section 348.	Sections 348	12-Dec-2017 Item F2	
131.	Chief Executive Officer	Power, as a dam owner, to give the chief executive additional information about a failure impact assessment.	Section 349(2)	12-Dec-2017 Item F2	
132.	Chief Executive Officer	Power, as a dam owner, to comply with an information notice issued by the chief executive pursuant to this section and return the recertified assessment to the chief executive.	Section 351	12-Dec-2017 Item F2	
133.	Chief Executive Officer	Power, as a dam owner, to comply with an information notice issued by the chief executive pursuant to this section.	Section 352	12-Dec-2017 Item F2	
134.	Chief Executive Officer	Power, as the owner of a referrable dam, to prepare an emergency action plan for the dam and comply with the requirements of Chapter 4, Part 1, Division 2A, Subdivision 3 when preparing the plan.	Sections 352F, 352H and 352HA	12-Dec-2017 Item F2	
135.	Chief Executive Officer	Power, as a local government, to assess an emergency action plan for consistency with its disaster management plan, consult with the local group for the plan and give the owner of the dam a notice.	Section 352HB	12-Dec-2017 Item F2	
136.	Chief Executive Officer	Power, as the owner of a referrable dam, to comply with a notice issued by the chief executive pursuant to this section.	Section 352L	12-Dec-2017 Item F2	
137.	Chief Executive Officer	Power, as the owner of a referrable dam, to keep a copy of the approved emergency action plan for the dam and make it available to an individual:- (a) who has a function under the plan; or (b) who, under the plan, is named and required to be personally notified of a dam hazard event or emergency event.	Section 352N	12-Dec-2017 Item F2	
138.	Chief Executive Officer	Power, as the owner of a referrable dam, to comply with a notice issued by the chief executive pursuant to this section.	Section 352O	12-Dec-2017 Item F2	

**Water Supply (Safety and Reliability) Act 2008**

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
139.	Chief Executive Officer	Power, as the owner of a referable dam, to review an emergency action plan for the dam, give the chief executive a notice stating whether or not the owner proposes an amendment of the plan because of the review and if so, a copy of the amended plan.	Section 352P	12-Dec-2017 Item F2	
140.	Chief Executive Officer	Power, as the owner of a referable dam, to apply to the chief executive to correct a minor error or make a change, that is not a change of substance, in an emergency action plan for the dam.	Section 352Q	12-Dec-2017 Item F2	
141.	Chief Executive Officer	Power, as the owner of a referable dam, to apply to the chief executive for a change of substance to an emergency action plan for the dam.	Section 352R(1)	12-Dec-2017 Item F2	
142.	Chief Executive Officer	Power, as the owner of a referable dam, to comply with a notice issued by the chief executive pursuant to this section.	Section 352R(2)(c)	12-Dec-2017 Item F2	
143.	Chief Executive Officer	Power, as the owner of a referable dam, to prepare a new emergency action plan for the dam and give it to the chief executive for approval.	Section 352S	12-Dec-2017 Item F2	
144.	Chief Executive Officer	Power, as the owner of a referable dam, to prepare an emergency event report in compliance with Chapter 4, Part 1, Division 2A, Subdivision 9 and give it to the chief executive.	Section 352T	12-Dec-2017 Item F2	
145.	Chief Executive Officer	Power, as the owner of a referable dam, to comply with a notice issued by the chief executive pursuant to this section.	Section 352U	12-Dec-2017 Item F2	
146.	Chief Executive Officer	Power, as the owner of a referable dam, to provide the chief executive with information that will help the chief executive to decide what safety conditions are to apply to the dam.	Section 353	12-Dec-2017 Item F2	
147.	Chief Executive Officer	Power, as the owner of a referable dam, to by written agreement, extend the period within which the chief executive must decide safety conditions for the dam.	Section 354(3)(b)	12-Dec-2017 Item F2	
148.	Chief Executive Officer	Power, as the owner of a referable dam, to provide the chief executive with information that will help the chief executive to decide what changes should be made to the safety conditions and development conditions that apply to the dam.	Section 356	12-Dec-2017 Item F2	
149.	Chief Executive Officer	Power to comply with a compliance notice issued by the chief executive pursuant to this section.	Section 359	12-Dec-2017 Item F2	
150.	Chief Executive Officer	Power, as a dam owner, to give the chief executive the authorisation request information.	Section 379	12-Dec-2017 Item F2	
151.	Chief Executive Officer	Power, as a dam owner, to record the authorisation request information in writing and give it to the chief executive where the circumstances in section 381(1) or (2) are satisfied.	Section 381(4)	12-Dec-2017 Item F2	
152.	Chief Executive Officer	Power, as a dam owner, to publish a copy of a notice given to the owner under subsection (2) in the gazette.	Section 390(5)	12-Dec-2017 Item F2	
153.	Chief Executive Officer	Power, as the owner of a dam to which a resource operations licence applies, to, in the circumstances set out in subsection (1), reduce the full supply level of the dam to the reduced full supply level and given notice of the reduced full supply level.	Section 399B	12-Dec-2017 Item F2	
154.	Chief Executive Officer	Power, as the owner of a dam operating at a reduced full supply level under section 399B for more than 1 year, to give a report to the entities prescribed in subsection (2).	Section 399C	12-Dec-2017 Item F2	


Water Supply (Safety and Reliability) Act 2008

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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
155.	Chief Executive Officer	Power to prepare an improvement plan in response to an improvement notice issued by the regulator.	Sections 446(2) and 447	12-Dec-2017 Item F2	
156.	Chief Executive Officer	Power to respond to a show cause notice issued by the regulator pursuant to this section.	Section 446(3)	12-Dec-2017 Item F2	
157.	Chief Executive Officer	Power to comply with a direction issued by the regulator pursuant to this section 448.	Sections 448 and 449	12-Dec-2017 Item F2	
158.	Chief Executive Officer	Power to start a proceeding referred to in section 475(1) in the District Court and to give a copy of the proceeding to the regulator.	Section 475	12-Dec-2017 Item F2	
159.	Chief Executive Officer	Power, as an interested person for an original decision, to apply for an internal review of the decision.	Section 512	12-Dec-2017 Item F2	
160.	Chief Executive Officer	Power, as the recipient of a submitter notice on an internal review application, to make written submissions on the application.	Section 513(4)	12-Dec-2017 Item F2	
161.	Chief Executive Officer	Power, as the applicant on an internal review application, to apply for the stay of an original decision to the relevant entity listed in section 516(2).	Section 516(2)	12-Dec-2017 Item F2	
162.	Chief Executive Officer	Power, as an interested person for the original decision, to appeal against or apply for an external review of an internal review decision.	Section 517	12-Dec-2017 Item F2	
163.	Chief Executive Officer	Power, as an interested person for a review decision about an original decision the subject of an information notice or a compliance notice mentioned in section 510(1)(b), other than an original decision that is a decision relating to a matter involving drinking water or recycled water, to give the authority under the <i>Queensland Competition Authority Act 1997</i> a notice applying for arbitration on the decision.	Section 524	12-Dec-2017 Item F2	
164.	Chief Executive Officer	Power, as water service provider, to make guidelines for persons about preparing a water efficiency management plan.	Section 573	12-Dec-2017 Item F2	
165.	Chief Executive Officer	Power, as a service provider, to keep available for inspection and purchase the documents referred to in the section.	Section 575	12-Dec-2017 Item F2	
166.	Chief Executive Officer	Power, as a service provider, to publish each of the documents referred to in the section.	Section 575A	12-Dec-2017 Item F2	
167.	Chief Executive Officer	Power, as the relevant entity for a recycled water scheme, to keep available for inspection and purchase the documents referred to in the section.	Section 576	12-Dec-2017 Item F2	
168.	Chief Executive Officer	Power, as the relevant entity for a recycled water scheme, to publish the annual report prepared under section 273.	Section 576A	12-Dec-2017 Item F2	



Work Health and Safety Act 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to notify the regulator after becoming aware a notifiable incident has occurred	Section 38	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power to consult with workers who are, or are likely to be, directly affected by a matter relating to work health or safety	Section 47	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to facilitate the conduct of an election for 1 or more health and safety representatives to represent workers	Sections 51 to 54	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to make an application to the commission to disqualify a health and safety representative.	Section 65	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a workgroup.	Section 71(5)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power to ask the regulator to appoint an inspector to decide the matter.	Section 72(5)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power to establish a health and safety committee.	Sections 75 to 78	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a party to an issue, to resolve the issue in accordance with an agreed procedure or the default procedure.	Section 80 and 81	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power to ask the regulator to appoint an inspector to assist in resolving the issue.	Section 82(2)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power to direct the worker to carry out suitable alternative work at the same or another workplace.	Section 87	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving an issue arising from a cessation of work.	Section 89	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to apply to the Commission to revoke a WHS entry permit.	Section 138	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power to appeal a decision of the commission.	Section 140	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.	Section 141	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to apply to the Commission for it to deal with the dispute.	Section 142(4)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power to apply to the regulator for the return of a seized thing.	Section 180	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power to demand that the regulator allow the CEO to inspect a seized thing and if the seized thing is a document to make copies of it.	Section 181	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to claim compensation from the State.	Section 184	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to make a written undertaking (a WHS undertaking) in connection with a matter relating to a contravention or alleged contravention of the <i>Work Health and Safety Act</i> .	Section 216	12-Dec-2017 Item F2	



Organisational Services
Organisational Services Administration

Work Health and Safety Act 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
20.	Chief Executive Officer	Power, as a person who has made a WHS undertaking, to at any time, with the agreement of the regulator, withdraw the undertaking or vary the undertaking.	Section 221	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as an eligible person in relation to a reviewable decision to apply to the regulator for an internal review of the decision.	Section 224	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power, as an eligible person to apply to the external review body for review of a reviewable decision made by the regulator or a decision made, or taken to have been made, on an internal review.	Section 229 to 229E	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power to appeal a decision of the commission.	Section 229F	12-Dec-2017 Item F2	

Work Health and Safety Regulation 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a person conducting a business or undertaking at a workplace, to prepare, maintain and implement an emergency plan.	Section 43	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as a person conducting a business or undertaking at a workplace, to maintain a written record of the evidence provided under subsections (1), (2) and (3).	Section 85(4)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power to apply to the regulator for a licence to carry out demolition work.	Section 144B	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power to make a submission to the regulator in relation to a proposed refusal	Section 144I	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as a holder of a licence to carry out demolition work, to make a submission to the regulator in relation to a proposed amendment to a licence.	Section 144P	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as a holder of a licence to carry out demolition work to apply to the regulator to amend the licence.	Section 144Q(1)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power after receiving a written notice of intention to refuse an application to amend the licence from the regulator, to make a submission to the regulator in relation to the proposed refusal.	Section 144Q(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power to apply to the regulator for a replacement document.	Section 144U	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a holder of a licence to carry out demolition work to voluntarily surrender the licence document to the regulator.	Section 144V	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a holder of a licence to carry out demolition work, to apply to the regulator for renewal of the licence.	Sections 144VA, 144VB	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a holder of a licence to carry out demolition work to make a submission to the regulator in relation to the proposed suspension, cancellation and/or disqualification.	Section 144Y	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as a person with management or control of an item of plant stated in schedule 5, part 2, to apply to the regulator for the registration of that item of plant.	Section 265	12-Dec-2017 Item F2	

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Organisational Services
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Work Health and Safety Regulation 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
13.	Chief Executive Officer	Power to respond to a notice from the regulator on a proposal to refuse registration of an item of plant stated in schedule 5, part 2.	Section 270(1)(b)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power to respond to a notice from the regulator on a proposal to cancel the registration of an item of plant stated in schedule 5, part 2.	Section 288C	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power to return the registration document for an item of plant stated in schedule 5, part 2 to the regulator.	Section 288D	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as a person conducting a business or undertaking, to obtain the current safety data sheet for a hazardous chemical used at a workplace	Section 344	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, as a person conducting a business or undertaking, to prepare and maintain a register of hazardous chemical used at a workplace	Section 346	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power to apply in writing to the regulator for authorisation to use, handle or store a prohibited carcinogen or restricted carcinogen	Section 383	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power to ensure that all asbestos or asbestos contaminated material at a workplace is identified by a competent person.	Section 422(1)	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power to ensure that the presence and location of all asbestos or asbestos contaminated material at a workplace is clearly indicated and if practicable labelled.	Section 424	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power to prepare, maintain and review an asbestos register for each workplace.	Sections 425(1) and 426	12-Dec-2017 Item F2	
22.	Chief Executive Officer	Power to prepare, maintain and review an asbestos management plan for each workplace.	Sections 429 and 430	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, as an eligible person in relation to a reviewable decision set out in section 676 of the <i>Work Health and Safety Regulation</i> , to apply to the regulator for an internal review of a decision.	Section 678(1)	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as an eligible person in relation to a reviewable decision under section 89(5), 118(5), 256(5), 269(5) or 497(5) of the <i>Work Health and Safety Regulation</i> to apply to the regulator for an internal review of the decision.	Section 678(2)	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as an eligible person to apply to QCAT for an external review of reviewable decision made by the regulator or of a decision made, or taken to have been made, on an internal review.	Section 683	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power to apply for an exemption from compliance with any provision of the <i>Work Health and Safety Regulation</i> .	Section 684	12-Dec-2017 Item F2	

Workers' Compensation and Rehabilitation Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as an employer, to insure and keep insured all Council's employees and Councillors.	Section 48	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as an employer, to pay a premium notice issued by WorkCover.	Section 54(7)	12-Dec-2017 Item F2	

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Workers' Compensation and Rehabilitation Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
3.	Chief Executive Officer	Power, as an employer, to pay a reassessment premium notice issued by WorkCover.	Section 56(5)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty for contravening section 48.	Section 57(3)	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as an employer, to object to a default assessment issued by WorkCover.	Section 58(6)	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as an employer, to pay a default assessment notice issued by WorkCover.	Section 58(10)	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as an employer, to apply to WorkCover for a waiver or reduction of an additional premium.	Section 64(2)	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as an employer who is not a self-insurer, and who is or is required to be insured under a WorkCover policy, to pay the weekly payment of compensation payable to an injured worker during the excess period.	Section 66(2)	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 66(6).	Section 66(7)	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a local government self-insurer, to cover councillors under the self-insurer's licence.	Section 68A(1)	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a local government self-insurer, to notify the councillors and the Regulator of its decision to cover councillors under the self-insurer's licence.	Section 68A(3)	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power to apply to the Regulator to be licensed as a self-insurer, as described in Chapter 2, Part 4.	Sections 69 and 70	12-Dec-2017 Item F2	
13.	Chief Executive Officer	Power, as a prospective self-insurer, to make a submission to the Regulator about a decision to refuse an application to be licensed as a self-insurer.	Section 77(3)	12-Dec-2017 Item F2	
14.	Chief Executive Officer	Power, as self-insurer, to apply to renew a self-insurer licence or to notify the Regulator that Council intends not to apply for renewal.	Section 79	12-Dec-2017 Item F2	
15.	Chief Executive Officer	Power, as self-insurer, to make a submission to the Regulator about a decision to refuse an application to renew a self-insurer licence.	Section 80(3)	12-Dec-2017 Item F2	
16.	Chief Executive Officer	Power, as a self-insurer, to pay the annual levy to the Regulator.	Section 81	12-Dec-2017 Item F2	
17.	Chief Executive Officer	Power, as a self-insurer, to comply with the conditions imposed on the licence under the Regulation and by the Regulator.	Section 83	12-Dec-2017 Item F2	
18.	Chief Executive Officer	Power, as a self-insurer, to lodge security with the Regulator before the issue or renewal of a self-insurer licence.	Section 84	12-Dec-2017 Item F2	
19.	Chief Executive Officer	Power, as a self-insurer, to obtain a contract of reinsurance of liabilities and lodge the contract with the Regulator.	Section 86	12-Dec-2017 Item F2	
20.	Chief Executive Officer	Power, as a self-insurer, to exercise all of the powers identified in section 92 in relation to the self-insurer's workers.	Section 92	12-Dec-2017 Item F2	
21.	Chief Executive Officer	Power, as a local government self-insurer, to exercise all of the powers identified in section 92A in relation to councillors covered by the self-insurer's licence.	Section 92A	12-Dec-2017 Item F2	

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Workers' Compensation and Rehabilitation Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
22.	Chief Executive Officer	Power, as a local government self-insurer, to keep the documents identified in sections 93 and 93A.	Sections 93 and 93A	12-Dec-2017 Item F2	
23.	Chief Executive Officer	Power, as a self-insurer, to comply with a notice to give documents issued by the Regulator under this section.	Section 94	12-Dec-2017 Item F2	
24.	Chief Executive Officer	Power, as a self-insurer, to respond to a written notice issued by the Regulator under this section.	Section 96	12-Dec-2017 Item F2	
25.	Chief Executive Officer	Power, as a self-insurer, to send a written notice to the Regulator seeking to cancel a self-insurer licence.	Section 97	12-Dec-2017 Item F2	
26.	Chief Executive Officer	Power, as former self-insurer, to request the Regulator to allow Council to continue to exercise the powers referred to in sections 92 and/or 92A.	Section 100(2)	12-Dec-2017 Item F2	
27.	Chief Executive Officer	Power, as a former self-insurer, to request the return of the balance of the section 84 security from the Regulator.	Section 103	12-Dec-2017 Item F2	
28.	Chief Executive Officer	Power, as an employer, to ask the Regulator to approve the amount provided for in the industrial instrument for the purposes of section 107B of the <i>Workers' Compensation and Rehabilitation Act 2003</i> .	Section 107E(2)	12-Dec-2017 Item F2	
29.	Chief Executive Officer	Power, as an employer, to appeal the Regulator's decision to refuse to approve the amount provided for in the industrial instrument under Chapter 13 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> .	Section 107E(6)	12-Dec-2017 Item F2	
30.	Chief Executive Officer	Power, as a self-insurer, to pay compensation for an injury sustained by a worker.	Section 109(1)	12-Dec-2017 Item F2	
31.	Chief Executive Officer	Power, as an employer who is not a self-insurer, to pay compensation for an injury sustained by a worker where the worker has made an application for compensation under section 132 and Council has complied with section 133A.	Section 109(4)	12-Dec-2017 Item F2	
32.	Chief Executive Officer	Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 109A.	Section 109A(4)	12-Dec-2017 Item F2	
33.	Chief Executive Officer	Power, as an employer, other than a self-insurer, whose worker sustains an injury for which compensation may be payable, to complete a report in the approved form and send it to the nearest WorkCover office.	Section 133	12-Dec-2017 Item F2	
34.	Chief Executive Officer	Power, as an employer, other than a self-insurer, to give WorkCover written notice in the approved form if:- (a) a worker asks the employer for compensation for an injury sustained by the worker; or (b) the employer pays the worker an amount, either in compensation or instead of compensation, that is payable by the employer or WorkCover under the Act for an injury sustained by the worker.	Section 133A	12-Dec-2017 Item F2	
35.	Chief Executive Officer	Power, as an employer, to pay compensation to an injured worker for the day the worker stops work because of the injury.	Section 144	12-Dec-2017 Item F2	
36.	Chief Executive Officer	Power, as an employer, to pay the amount of the first charge or the whole of the damages to the insurer.	Section 207B(4)	12-Dec-2017 Item F2	

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Workers' Compensation and Rehabilitation Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
37.	Chief Executive Officer	Power, as an employer, to appoint a Rehabilitation and Return to Work Coordinator where the employer meets the criteria prescribed under a regulation.	Section 226	12-Dec-2017 Item F2	
38.	Chief Executive Officer	Power, as an employer, to prepare and have in place a workplace rehabilitation policy and procedure, and review those policies and procedures every 3 years.	Section 227	12-Dec-2017 Item F2	
39.	Chief Executive Officer	Power, as an employer, to assist or provide an injured worker with rehabilitation.	Section 228(1) and 228(2)	12-Dec-2017 Item F2	
40.	Chief Executive Officer	Power, as an employer other than a self-insurer, to provide written evidence to WorkCover that it is not practicable to provide a worker with suitable duties.	Section 228(3)	12-Dec-2017 Item F2	
41.	Chief Executive Officer	Power, as an employer other than a self-insurer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 229.	Section 229(4)	12-Dec-2017 Item F2	
42.	Chief Executive Officer	Power, as an employer against whom negligence is alleged, to cooperate fully with and give WorkCover all information and access to documents in relation to the claim.	Section 280	12-Dec-2017 Item F2	
43.	Chief Executive Officer	Power, as a self-insurer against whom a proceeding for damages has been brought, to conduct the proceedings and/or settle the claim.	Section 300(6)	12-Dec-2017 Item F2	
44.	Chief Executive Officer	Power, as an employer, other than a self-insurer, against whom a proceeding for damages has been brought, to execute all documents and do everything that WorkCover considers reasonably necessary to allow the proceedings to be conducted by it.	Section 300(7)	12-Dec-2017 Item F2	
45.	Chief Executive Officer	Power to comply with the requirement of an authorised person to give information or produce documents required under section 532C.	Section 532C	12-Dec-2017 Item F2	
46.	Chief Executive Officer	Power, as an employer or contractor, to keep the documents about workers, and contracts for the performance of work, prescribed under a regulation.	Section 532D	12-Dec-2017 Item F2	
47.	Chief Executive Officer	Power, as an employer who is not a self-insurer, to give WorkCover information the employer has in relation to a person defrauding, or attempting to defraud, WorkCover, or in relation to a person stating anything, or giving a document containing information, to WorkCover or a registered person that the person knows is false or misleading in a material particular.	Section 536(3)	12-Dec-2017 Item F2	
48.	Chief Executive Officer	Power, as an employer who is a self-insurer, to give the Regulator information the employer has in relation to a person defrauding, or attempting to defraud, the self-insurer, or in relation to a person stating anything, or giving a document containing information, to the self-insurer or a registered person that the person knows is false or misleading in a material particular.	Section 536(4)	12-Dec-2017 Item F2	
49.	Chief Executive Officer	Power to apply for a review of a decision identified in section 540(1) of the <i>Workers' Compensation and Rehabilitation Act 2003</i> and to take all steps necessary to conduct the application and to appear at the hearing.	Section 541	12-Dec-2017 Item F2	
50.	Chief Executive Officer	Power to appeal to an appeal body against the following decisions of the Regulator or the insurer: (a) a review decision, other than a decision to return a matter to a decision-maker under section 545 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> ; and (b) a decision under Chapter 3 or Chapter 4 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> that is not a decision mentioned in section 540(1) (a non-reviewable decision), and to take all steps necessary to file and serve the notice of appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing.	Section 549, 550, 552A and 554	12-Dec-2017 Item F2	



Workers' Compensation and Rehabilitation Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
51.	Chief Executive Officer	Power to seek the consent of the other party or the leave of the appeal body for Council to be represented by a lawyer at a conference under section 552A or at the hearing of an appeal.	Section 552B	12-Dec-2017 Item F2	
52.	Chief Executive Officer	Power to appeal against a decision of the Regulator identified in section 567 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> and to take all steps necessary to file and serve the notice of appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing.	Section 568	12-Dec-2017 Item F2	
53.	Chief Executive Officer	Power, as a prospective employer, to request in writing that a prospective worker disclose to Council the worker's pre-existing injury or medical condition, if any.	Section 571B	12-Dec-2017 Item F2	
54.	Chief Executive Officer	Power, as a principal contractor for a construction project to, by written notice, to ask the relevant contractor for a copy of a required document.	Section 576C	12-Dec-2017 Item F2	

Workers' Compensation and Rehabilitation Regulation 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as an employer other than a self-insurer, to submit to WorkCover a declaration of wages.	Section 8(2)	12-Dec-2017 Item F2	
2.	Chief Executive Officer	Power, as an employer other than a self-insurer, to enter a payment plan with WorkCover.	Section 10(2)(d)	12-Dec-2017 Item F2	
3.	Chief Executive Officer	Power, as a former employer, to give written notice to WorkCover.	Section 13(3)	12-Dec-2017 Item F2	
4.	Chief Executive Officer	Power, as a self-insurer, to appoint an actuary to calculate an amount of outstanding liability for section 87 of the Act.	Section 26	12-Dec-2017 Item F2	
5.	Chief Executive Officer	Power, as an employer, to agree with WorkCover on a calculation of an outstanding liability for section 87 of the Act, based on a joint summary report prepared by actuaries under section 30 of the <i>Workers' Compensation and Rehabilitation Regulation 2003</i> .	Section 31	12-Dec-2017 Item F2	
6.	Chief Executive Officer	Power, as an employer, to advise the Regulator that WorkCover and the employer do not agree on the outstanding liability amount.	Section 32	12-Dec-2017 Item F2	
7.	Chief Executive Officer	Power, as a former self-insurer, to appoint an actuary to calculate an amount of liability for section 102 of the Act.	Section 46	12-Dec-2017 Item F2	
8.	Chief Executive Officer	Power, as a former self-insurer, to give the information, in the approved form, necessary to enable the actuaries to complete the calculation.	Section 47	12-Dec-2017 Item F2	
9.	Chief Executive Officer	Power, as a former self-insurer, to agree with WorkCover on the amount of the calculation for section 102 of the Act.	Section 51	12-Dec-2017 Item F2	
10.	Chief Executive Officer	Power, as a former self-insurer, to advise the Regulator that WorkCover and the former self-insurer do not agree on the self-insurer's liability amount.	Section 52	12-Dec-2017 Item F2	
11.	Chief Executive Officer	Power, as a self-insurer, to give the Regulator and the approved actuary, in the form approved by the Regulator, the self-insurer's data.	Section 56	12-Dec-2017 Item F2	
12.	Chief Executive Officer	Power, as a self-insurer, to agree with the Regulator about the self-insurer's estimated claims liability.	Section 62	12-Dec-2017 Item F2	



Organisational Services
Organisational Services Administration

Workers' Compensation and Rehabilitation Regulation 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
13.	Chief Executive Officer	Power, as an employer of employees to appoint 1 rehabilitation and return to work coordinator for more than one workplace.	Section 115(3)	12-Dec-2017 Item F2	

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Item

12 December 2017

Item Number:

F3

File Number:

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Part:GOVERNANCE &
COMMUNICATIONS**Portfolio:**

Organisational Services

Subject:

Council Policy Update

Report Author:

Amy Crouch, Executive Assistant

Authorised by:

Anthony Keleher, Acting General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.6 Responsible and ethical leadership and governance.

Background:

In late 2016 a number of policies were reviewed by Council and these were considered prudent to formally adopt; including any future amendment to same.

The following policies have been amended and are presented to Council for adoption.

- **Councillor's Confidentiality of Council Information Policy (GP-3-014)** – reference to repealed *Sustainable Planning Act 2009* deleted, and replaced with *Planning Act 2016* (in Section 4.3 and 7.0).
- **Reimbursement of Expenses and Provision of Facilities for Councillors Policy (GP-3-047)** – Section 4.2.6 Meals – reference to the Australian Taxation Office Determination updated to reflect current information.
- **Water Leak Relief Policy (GP-3-082)** –
 - Section 4.1.6, 4.1.8 (c): The inclusion of service suppliers, other than plumbers, to verify a water leak (e.g. landscaping companies and swimming pool companies) as there have been applications received for leaks in underground irrigation and swimming pools, which are repaired by specialists who are not plumbers.
 - Section 4.1.9: Additional bullet point specifying that this Policy does not deal with water lost through theft or vandalism but only as a result of 'natural' water leaks.
 - Section 4.2.1: Updating water consumption charges (dollar amounts) to reflect Council's 2017/2018 charges.

Associated Person/Organization:

Nil.

Consultation:

Councillors

Stephen Johnston, Chief Executive Officer.

Rob Callander, Manager Revenue.

Legal Implications:

There appear to be no legal implications.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There appear to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

Yes

No

Attachments:

- [↓1](#) Councillor's Confidentiality of Council Information Policy
- [↓2](#) Reimbursement of Expenses and Provision of Facilities for Councillors Policy
- [↓3](#) Water Leak Relief Policy

Recommendation:

That the:-

- 1. Councillor's Confidentiality of Council Information Policy** (as detailed on the 6 pages appended to this report);
 - 2. Reimbursement of Expenses and Provision of Facilities for Councillors Policy** (as detailed on the 11 pages appended to this report); and
 - 3. Water Leak Relief Policy** (as detailed on the 6 pages appended to this report);
- be adopted by Council.**

Bundaberg Regional Council
Organisational Services
Issue Date:
Review Date: 11-08-2017

Councillor's Confidentiality of Council Information Policy

GP-3-014

Rev. 4 (Draft)

1.0 INTENT

This policy provides guidance to Councillors in complying with Section 171(3) of the *Local Government Act 2009* regarding the proper handling of confidential information. The policy intent is to assist Council in determining what might be considered confidential information and how this information should be handled.

2.0 SCOPE

This policy applies to confidential information held by Council and Councillors. Section 171(3) of the *Local Government Act 2009* sets out provisions relating to the release of confidential information by Councillors, and states:

(3) A councillor must not release information that the councillor knows, or should reasonably know, is information that is confidential to the local government.

Note - A contravention of subsection (3) is misconduct that is dealt with by the tribunal.

3.0 POLICY OBJECTIVES

It is accepted that Councillors will be in receipt of confidential information that may or may not be part of a formal Council meeting. Councillors must use Council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.

This policy aims to support Councillors in balancing the right and duty to inform the public and consult with constituents about Council business, with the interest Council has in preventing disclosure of confidential information.

This policy does not override an individual Councillor's statutory obligations in respect of the use of information; nor does it override Council's obligations under the *Local Government Act 2009* or any other legislation or subordinate legislation to disclose or publish information where this is required by law.

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4.0 POLICY

Definitions:

Councillors Briefing Sessions Are non-decision making forums convened by Councillors, the Chief Executive Officer and, as directed by the Chief Executive Officer, other Council officers that create an opportunity for Councillors and officers to discuss matters of proposed policy or other strategic or community sensitive issues, as well as providing a forum for Councillors to be made aware of issues of significance to the organisation and/or to the community.

Information Comes from any number of forms including letters, reports/ documents, facsimiles, attachments, tapes, emails, electronic media, and/or other forms of information including discussions during meetings.

Council operates in an environment of public accountability in which it seeks to inform the public of issues under consideration and the nature of decisions made by Council and its committees. Therefore, information should ordinarily be released to the public unless there are compelling reasons which indicate that this is not in the public interest.

At the same time, Council is conscious of the need to handle Council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government. It is accepted that Councillors will be in receipt of confidential information that may or may not be part of a formal Council meeting. It is Council's responsibility to ensure that such information is treated confidentially, so as not to harm, prejudice or compromise the interests of Council or any individual or organisation, or enable any individual or organisation to gain a financial advantage.

Whilst endeavouring in the interests of public accountability to limit the number of matters which are considered in confidential sessions, Council acknowledges that it is appropriate to consider certain matters in closed meetings.

4.1 Responsibilities of Councillors

Councillors must be aware of their responsibilities and agree they should:

- Exercise due care when handling or using information acquired in their role as a Councillor.
- Acknowledge that there will be information that must be treated as confidential because to release it would reduce public trust and confidence in the integrity of the Council.
- Acknowledge that disclosure of confidential information constitutes a breach of *Local Government Act 2009*.
- If uncertain, presume information is confidential, and seek advice from the Chief Executive Officer prior to any release of it.

- Undertake not to disclose, and to use their best endeavours to prevent disclosure of, confidential information to any person or organisation, specifically:
 - Avoid discussing confidential Council information with family, friends and business associates; and
 - Ensure documents containing confidential information are properly safeguarded at all times – including materials stored at private or business residences.

4.2 Confidential Information

The following types of information shall be deemed to be confidential to Council unless or until Council resolves to the contrary in a particular instance:

- Commercial in confidence information - including where the release of information would affect a third party's competitive advantage, this is particularly relevant in a competitive tender situation.
- Information derived from government departments or ministers that has been classified as confidential.
- Information of a personal nature or about personal affairs, for example the personal details of Councillors or Council staff.
- Information relating to a property disposal or acquisition process where release of the information may prejudice Council (see also Section 171(1) of *Local Government Act 2009*).
- Financial and legal analysis where the disclosure of that information may compromise Council or someone else.
- Information that could result in action being taken against Council for defamation.
- Information involving legal advice to Council or a legal issue or a matter before the courts.
- Information that is expressly given to Councillors in confidence;
- Information examined or discussed at Councillor briefing sessions, unless the Chief Executive Officer declares that such information (or part thereof) is not confidential.
- Information about:
 - The appointment, dismissal or discipline of employees;
 - Industrial matters affecting employees;
 - The Council's budget;
 - Rating concessions;
 - Contracts proposed to be made by Council;
 - Starting or defending legal proceedings involving Council; and
 - Any action to be taken by the local government under the *Planning Act 2016*, including deciding applications made to it under that Act.

It is acknowledged that some of the above classes of information may need to be disclosed from time to time for legal proceedings or in accordance with the *Right to Information Act 2009*. Nevertheless, this procedure deems that as a minimum:

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- The Chief Executive Officer may make a declaration that information concerning a specific matter is to be treated as confidential to Council, and the information will remain confidential unless or until Council resolves to the contrary.
- An item on a Council or committee meeting agenda – and the information contained in the documentation or supporting material – that is declared confidential by the Chief Executive Officer is to remain confidential unless or until Council or the committee resolves to the contrary.
- If the Mayor or a Councillor in a meeting asks that a matter be treated as confidential, Council will formally resolve as to whether all information concerning the matter is confidential.
- If a meeting of a committee resolves that an item and the information contained in the documentation or supporting material is to be confidential it remains confidential, unless or until Council resolves to the contrary.
- If Council exercises its powers under Section 275 of the *Local Government Regulation 2012* to close its meeting to members of the public, all information in relation to the matters discussed during that closed meeting or the closed portion of the meeting is confidential, unless and until the Council resolves to the contrary.
- Confidential information shall be clearly identified as confidential.
- Any information of a type deemed to be confidential is to be presumed by Councillors to be confidential to Council and must not be released without seeking advice from the Chief Executive Officer.
- If a Councillor has any doubt as to whether Council considers information to be confidential, the Councillor is to act on the assumption that Council does so intend until the doubt is resolved at a subsequent meeting of Council.

4.3 Consideration of Confidential Material – Council Meetings

The following procedures will apply to the preparation of an agenda and material for consideration at meetings of the Council:

- 1) If it is considered by the Chief Executive Officer that the Council should consider a matter in a closed meeting, the Chief Executive Officer will clearly indicate such recommendation on the agenda.
- 2) The Chief Executive Officer will make a declaration that all information contained in the documentation and associated material is information confidential to the Council.
- 3) The Chief Executive Officer will ensure that the documentation and material is clearly marked as confidential.
- 4) The reason for the recommendation will be set out in the material.

The following procedures will apply to a recommendation by the Chief Executive Officer that a matter be considered in a closed meeting:

- 1) Council will consider the recommendation in open session unless to do so would result in the public release of the information concerning the matter.
- 2) Council shall determine by resolution whether the matter is confidential or not for the purposes of declaring that a meeting should be a closed one.

- 3) Upon moving that an issue be dealt with in a closed meeting, the mover must clearly state the reason for the motion.
- 4) Council will resolve that:
 - The matter is to be considered in a closed meeting, and all information relating to that matter is confidential to Council; or
 - The matter will be considered in open session. Information considered at a closed meeting of Council shall remain confidential unless or until Council resolves otherwise.

4.4 Release of Confidential Information

Any release of confidential information for any purpose to any person or organisation (other than those who are entitled to the information, such as other Councillors or Council staff) is a breach of Section 171(3) of the *Local Government Act 2012*.

Release includes:

- Orally telling any person about the information or any part of the information.
- Providing the original or a copy of documentation or any part of the documentation that is marked confidential.
- Paraphrasing – putting into your own words - any confidential information and providing that in writing or orally.

4.5 Breach of this policy

A person may make a complaint about a breach by a Councillor of Section 171(3) by giving notice of the complaint to the Council's Chief Executive Officer. A breach of Section 171(3) is "misconduct" (see the definition of "misconduct" in Section 176(3)(c) of the *Local Government Act 2009*).

Allegations of misconduct must be referred by the Council's Chief Executive Officer to the Chief Executive of the Department of Local Government (see Section 177(6) of the *Local Government Act 2009*).

Thereafter the Chief Executive of the Department of Local Government must refer the complaint to the Local Government Remuneration and Discipline Tribunal (see Section 177(14) of the *Local Government Act 2009*). If the Local Government Remuneration and Discipline Tribunal decides that a Councillor has breached Section 171(3), Section 180(5) provides that the Local Government Remuneration and Discipline Tribunal may make any one or more of the following orders or recommendations:

- 1) An order that the Councillor be counselled about the misconduct, and how not to repeat the misconduct;
- 2) An order that the Councillor make an admission of error or an apology;
- 3) An order that the Councillor participate in mediation with another person;
- 4) A recommendation to the department's chief executive to monitor the Councillor or the local government for compliance with the Local Government Acts;

- 5) An order that the Councillor forfeit an allowance, benefit, payment or privilege;
- 6) An order that the Councillor reimburse the local government;
- 7) A recommendation to the Minister that the Councillor be suspended for a specified period, either wholly or from performing particular functions;

Examples of particular functions:

- *Attending council meetings or offices; and*
 - *Representing the council at public functions*
- 8) A recommendation to the Minister that the Councillor be dismissed; and
 - 9) A recommendation to the Crime and Corruption Commission or the Police Commissioner that the Councillor's conduct be further investigated.

5.0 CONTROLS

This policy is controlled by the *Local Government Act 2009*.

6.0 EFFECTIVE FROM

The Councillor's Confidentiality of Council Information Policy was adopted by Council on 12 December 2017.

This Policy is effective from 12 December 2017.

7.0 REFERENCES/ASSOCIATED DOCUMENTS

Local Government Act 2009

Local Government Regulation 2012

Right to Information Act 2009

Planning Act 2016

Bundaberg Regional Council
Organisational Services
Issue Date:
Review Date: 29-09-2017

Reimbursement of Expenses and Provision of Facilities for Councillors Policy

GP-3-047

Rev. 8 (Draft)

1.0 INTENT

To ensure compliance with statutory requirements and community expectations relating to the payment or reimbursement of legitimate expenses and the provision of facilities for the Councillors while carrying out their duties and responsibilities.

To ensure that Councillors have the facilities and support necessary to perform their Council business as elected representatives of their local communities.

2.0 SCOPE

The policy applies to Councillors, including Mayor and Deputy Mayor.

3.0 POLICY OBJECTIVES

The purpose of the policy is to ensure that Councillors can receive reimbursement of reasonable expenses and be provided with necessary facilities in performance of their role.

4.0 POLICY

Background

This Policy is premised on the following:

- 1) The payment and/or reimbursement of expenses and the provision of facilities for Councillors must only be for the actual cost of legitimate business use and in accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.
- 2) Councillors should not be financially disadvantaged when carrying out the requirements of the role of Councillor and should be fairly and reasonably compensated in accordance with statutory requirements and community expectations.
- 3) The payment and/or reimbursement of expenses and provision of facilities for Councillors is to be open and transparent, prudent, responsible, acceptable to the community and in accordance with statutory requirements; and is based on ensuring economy and efficiency.
- 4) Council's Annual Report must contain particulars about the expenses that were reimbursed, and the facilities that were provided to Councillors during the relevant financial year.
- 5) Facilities and resources provided to Councillors by Council are for the sole use of Councillors in undertaking their duties and must be used responsibly and

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appropriately. Spouses, partners and family members of Councillors are not entitled to reimbursement of expenses or to have access to facilities allocated to Councillors.

Failure to comply with this policy or misappropriation of expenses or facilities may be a breach of Code of Conduct for Councillors Policy (GP-3-041), *Local Government Act 2009* and/or an offence under the *Criminal Code Act 1899* and/or the *Crime and Corruption Act 2001*.

4.1 DEFINITIONS

Council business means official business conducted on behalf of, and/or approved by Council, Mayor or Chief Executive Officer, where a Councillor is required to undertake certain tasks to satisfy legislative requirements or achieve business continuity for the Council. Council business should result in a benefit being achieved either for Council, the local government area or the community.

It includes:

(1) Attendance at functions that are a statutory requirement of the Councillor's role or are officially recorded in minutes or other public records. This includes any other meeting, event or function described in Section 107 of the *Local Government Act 2009* under Insurance for example, attendance at:

- the meetings of the local government or its committees that the Councillor is entitled to or asked to attend;
- meetings for a resident of the local government area;
- conferences, deputations, inspections and meetings at which the Councillor is entitled or required to attend;
- official functions organised for the local government.

(2) Events and functions may also include:

- ceremonial openings of buildings or facilities;
- fetes and carnivals;
- annual or presentation dinners;
- public meetings;
- private meetings arranged through official Council channels (i.e. documented in official records or diary) for the purpose of conducting bona fide discussions of business of Council.

(3) Gathering of information by a Councillor necessary to inform him or her of an incident of interest to Council or which properly falls within the responsibility of Council.

(4) Travel between a Councillor's home and a Council Facility for Council business on a route that would not be considered a significant deviation from the most direct route.

(5) In the event a particular activity is not included in this list, the Mayor has discretion to determine if a particular activity of attendance is considered as Council business.

Councillors include Councillors, the Mayor and Deputy Mayor, unless the mayor and/or deputy mayor are identified separately within a clause.

Discretionary training is any training that is not determined by Mayor or Chief Executive Officer as "mandatory".

Mandatory training is any training that Mayor or Chief Executive Officer determines that Councillors must attend.

Meal allowance is the daily amount allowed for meals while travelling on Council business.

Official capacity refers to activities undertaken while on Council business.

Private use of Council vehicle - Use of a Council vehicle other than official Council business, as defined above.

Public record is any record created, received or kept that exists because of a Councillor undertaking their role as a Councillor in an official capacity.

Representing Council is when Council's Mayor or Chief Executive Officer determines that the Councillor is to attend an event or function as part of Council business.

4.2 EXPENSES

The following expenses refer to actual expenses deemed necessary for Council business. Councillors are only entitled to payment/reimbursement for the expenses contained in the categories listed below.

4.2.1 Council business

Where Councillors are attending to Council business, Council will pay for the approved expenses associated with that activity.

4.2.2 Representing Council at Events and Conferences

Councillors may be required to attend a range of events and functions as part of their role in attending to Council business. Councillors may, for example, be required to attend significant sporting and other community events in an official capacity.

Where the Mayor has approved that a Councillor is required to attend an event or conference either regionally, nationally or internationally as a delegate of Council, Council will pay for expenses associated with attending that event.

In the case of the Mayor, the Chief Executive Officer can approve the attendance to an event or conference either regionally, nationally or internationally as a delegate of Council. Council will pay for expenses associated with attending that event.

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4.2.3 Professional Development

The payment of expenses for professional development requires approval by the Mayor or Chief Executive Officer.

4.2.3.1 Mandatory Training

Councillors must attend training where the Mayor determines and where the Mayor is attending, the Chief Executive Officer determines, that all Councillors or a class of Councillors (e.g. newly elected Councillors) are to attend training courses, workshops, seminars or conferences for skill development related to a Councillor's role. Council will meet costs in accordance with this policy.

Examples of this type of training may include Councillor Induction, code of conduct, meeting procedures and legislative obligations.

Attendance at conferences includes major industry events e.g. Australian Local Government Association, Local Government Association of Queensland, Australian Local Government Women's Association, Company Directorship training or specific events that are relevant to all Councillors or Committee members.

4.2.3.2 Discretionary Training

A Councillor can attend a conference, workshop or training that has been identified as relevant to their role (other than mandatory training as outlined above). The Mayor can approve and where the Mayor is attending, the Chief Executive Officer may approve such training.

The funding limit for discretionary training is \$8,000 for each Councillor during their four (4) year term in office.

4.2.4 Travel costs

Councillors may incur travel costs for a number of reasons including attendance at conferences, training or workshops.

In general, the most cost effective form of travel must be used.

4.2.5 Accommodation

When attending conferences, Councillors must take advantage of any package provided by conference organisers and therefore, stay in the recommended accommodation unless prior approval has been granted by the Mayor, and where the Mayor is attending the Chief Executive Officer. In all other cases, the Mayor must decide, and where the Mayor is attending the Chief Executive Officer must decide what are legitimate accommodation costs for the purpose of reimbursement.

4.2.6 Meals

Councillors may claim for reasonable reimbursement of the actual cost of meals when travelling outside of the region for Council Business. Reasonable reimbursement will be as per the Australian Taxation Office Determination (Current Determination is TD 2017/19 or as updated annually by the Australian Taxation Office).

4.2.7 Hospitality Expenses

Where Councillors incur hospitality expenses, as determined in Council's Entertainment and Hospitality Expenditure Policy (GP-3-010), while conducting Council business, apart from official Council receptions, the maximum amount that may be reimbursed is:

- \$500 per annum for each Councillor; and
- \$6,000 per annum for the Mayor.

Where the Mayor has delegated the attendance at a function on the Mayor's behalf to another Councillor, any costs incurred by the Councillor for that function are to be charged against the Mayor's hospitality budget.

4.2.8 Cab Charge and Public Transport

Councillors may claim for cab charge facilities or reimbursement for public transport tickets (rail, bus, ferry) to attend official Council business only.

4.3 FACILITIES

Facilities provided for Councillors must be deemed necessary and required to assist Councillors in their official capacity. In accordance with the *Local Government Regulation 2012*, Council may only provide Councillors with the facilities listed in 4.3.1 of this Policy.

All facilities provided to Councillors remain the property of Council and must be accounted for during annual equipment audits. The facilities must be returned to Council when the Councillor's term expires, unless Council agrees to dispose of the facility in some other manner.

It is recommended that Councillors seek independent taxation advice for any provision of facilities they receive.

4.3.1 Administrative Tools and Council Office Amenities

4.3.1.1 Office Space and Access to Meeting Rooms

Council provides office accommodation and access to meeting rooms for Councillors.

The standard of Councillor office accommodation is as approved by the Chief Executive Officer. Furniture and fittings for Councillor Offices will be of a standard to allow Councillors to adequately undertake their roles as a Councillor. In general, rooms provided

for Councillor use will be located at Council owned or controlled premises such as Service Centres, libraries or community centres

4.3.1.2 Administrative Support

Council will provide administrative support for Councillors with Councillor Support Staff employed under Council's usual terms and conditions or employment. Relief staff will be provided where practical and shall be subject to budgetary and operational constraints.

The Mayor is entitled to a full time Executive Assistant under Council's usual terms of employment.

4.3.1.3 Computer for Business Use

Councillors are provided with a desktop, laptop and/or tablet for Council Business use at the Councillor's office and home.

Council will provide peripheral computer equipment that is associated with the choice of computer for the Councillor's office and the Councillor's home office as required. This may include a docking station, monitor and other computer equipment.

4.3.1.4 Telecommunication - Phone and Internet (Access)

Councillors are provided with a mobile telephone and mobile internet (dongle) access for Council business. Mobile phones are on a mobile phone plan. Incidental private use is allowed within the phone plan. Substantive private use may be subject to reimbursement to Council at the discretion of the Chief Executive Officer. Councillors are provided with a phone extension and internet access at the Councillor's Office.

Council will reimburse 50% of the monthly internet and/or telephone rental costs to the Councillor, where a Councillors home has no or unreliable mobile reception.

4.3.1.5 Printer, Photocopier, Paper Shredder, Scanner (Councillor Offices)

Councillors are entitled to a printer, paper shredder and shared photocopier for business use at the Councillor's office.

Councillors will be entitled to a standard printer at the Councillor's home if required.

4.3.1.6 Stationery

Councillors are provided with Council stationery for Council business. Council stationery (such as letterhead) is not to be converted or modified in any way and may only be used for carrying

out the functions of the role of Councillor. Stationery does not include any form of advertising or promotional material produced by Council.

4.3.1.7 Publication and Membership Fees

Councillors are provided with copies of relevant legislation, books and journals considered necessary for undertaking their duties. Where possible, these items will be provided in electronic format.

Councillors who hold membership of professional bodies such as Australian Institute of Company Directors and are related to Council business or functions will be eligible for reimbursement of membership fees by Council to a maximum amount of \$1,000 per annum.

Publications and Membership fees for Councillors that are approved by the Mayor, and where the Mayor is requesting a publication and membership fees will be approved by the Chief Executive Officer, Council will meet the costs of such publications and membership fees to the maximum as outlined above.

4.3.1.8 Other Administrative Necessities

Subject to Council approval, Councillors may be provided with any other administrative necessities to meet the business of Council.

4.3.1.9 Advertising

Council will not reimburse, provide funds, services or facilities for the purposes of advertising for Councillors.

4.3.1.10 Community Consultation

Councillors may use facilities provided to correspond with community representatives for the purpose of undertaking their role.

Where a Councillor chooses to undertake further community consultation on a particular matter, in addition to that approved by Council, the Councillor is responsible for those costs

4.3.2 Maintenance Costs of any Council Owned Equipment

Council will cover all ongoing maintenance costs associated with Council owned equipment to ensure it is operating for optimal professional use.

4.3.3 Name Badge, Uniform and Safety Equipment

Councillors are provided the opportunity to participate in wearing of the corporate wardrobe on the same basis as that provided to staff. Council's Uniform Policy (GP-3-081) applies.

4.3.4 Vehicles, Fuel and Parking

Councillors are provided with two vehicle arrangements for Council Business. Councillors may elect to be provided with a Council owned vehicle or to use their own private vehicle and be paid a monthly mileage allowance.

Based on a Council cost/benefit investigation, the following criteria is a guideline to determine which Councillor Vehicle option is the most cost effective for Council.

Kilometres per Annum	Mileage on Private Vehicle	Council Owned Vehicle
<5,000kms	✓	
>5,000kms – <12,500kms	✓	✓
>12,500kms		✓

Councillors are permitted use of Council approved SUV or Sedan. The private use contribution will be calculated by using the Deemed Value Method.

4.3.4.1 Council Owned Vehicle

Based on the above guidelines, Councillors may elect to be provided with a Council owned vehicle for Council business, with access to private use of that vehicle being subject to reimbursement to Council for expenses associated with the private use of the vehicle.

(1) The deemed value of the private use portion shall be calculated in the first year of the Council term by the Councillor providing a substantiated log book for a minimum 12 week continuous period. Private use percentage will be reviewed when a change of address or material change in driver habit occurs.

(2) Vehicles provided will be in accordance with Council's fleet management practices and GP-3-005 Use of Council Vehicles Governance Policy.

All vehicles are to be approved by the Chief Executive Officer or their delegate.

(3) All fuel and maintenance costs will be paid by Council.

(4) Council will provide parking facilities for Councillors at their office locations. Council will provide parking facilities for all Councillors at Council buildings for the purpose of Committee and Ordinary Council meetings.

(5) Councillor vehicles will be provided with a Vehicle Navigation System.

(6) Once a Councillor elects to be provided with a Council owned vehicle the option for the reimbursement of Private Vehicle will not be available for the remainder of the Council term.

(7) Annual value of deemed private use will be deducted from Councillors pay per fortnight.

4.3.4.2 Mileage on Private Vehicle

A Councillor who elects to use their private vehicle for Council business will be paid a monthly mileage allowance in accordance with the Australian Taxation Office business use of motor vehicle cents per kilometre method and kilometre rate applicable at time of travel. Council will advise Councillors and Councillor support staff of any Commissioner of Taxation determinations for cents per kilometre at the earliest possible convenience.

A Councillor who uses their private vehicle for Council Business will undertake a monthly reconciliation of Council business mileage for the private vehicle and seek reimbursement from Council for the actual mileage amount incurred for the month. All Council business will be recorded and substantiated by log book or equivalent.

The mileage allowance reimbursement will be paid up to a maximum of 12,500kms per annum as per the business use of motor vehicle cents per kilometre method. Any mileage above 5,000kms may have tax implications. Should the Councillor exceed the maximum 12,500km they may elect to be supplied with a Council provided vehicle for the remainder of the term. Once this election is made any private vehicle usage contribution will be in accordance with section 4.3.4.1 of this Policy.

Council will provide a Vehicle navigation system for use by the Councillor in private vehicle if required.

4.3.5 Legal Costs and Insurance Cover

Council may decide, pursuant to Section 107 of the *Local Government Act 2009*, to cover costs incurred through any inquiry, investigation, hearing or legal proceedings into the conduct of a Councillor, or arising out of, or in connection with the Councillor's performance of his/her Council business.

Councillors will be covered under Council insurance policies while undertaking Council business. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillor's liability, personal accident and/or workers compensation, international and domestic travel insurance.

4.3.6 Corporate Purchase Card

A corporate purchase card may be made available to the Mayor and Deputy Mayor and will be issued with the approval of the Chief Executive Officer.

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The card should only be used for extraordinary business expenses directly related to the Mayor or Deputy Mayor attending to Council's business.

Personal expenses not related to the business of Council must not be charged to the card.

Cards must be used in accordance with Corporate Purchase Card Procedural Manual (GM-4-001).

4.3.7 Provision of Meals

Councillors will be provided with light meals, morning and afternoon teas if they are required to attend statutory or other prescribed Council meetings that extend over these meal periods.

4.3.8 Non Allowable Expenses

Requests for payment/reimbursement of expenses associated with the following will not be paid or reimbursed:

- excessive alcohol consumed in conjunction with a meal, Entertainment and Hospitality Expenditure Policy (GP-3-010);
- unreasonable personal telephone expenses, refer to section 4.3.1.4 of this Policy;
- toiletries;
- mini-bar purchases;
- traffic infringements;
- laundering or dry cleaning;
- airline membership;
- in-house movies;
- expenses incurred by, or on behalf of, others such as partners, family members and associates.

5.0 CONTROLS

- *Crime & Corruption Act 2001*
- *Criminal Code Act 1899*
- *Local Government Act 2009*
- *Local Government Regulation 2012*

6.0 EFFECTIVE FROM

The Reimbursement of Expenses and Provision of Facilities for Councillors Policy was adopted by Council on 12 December 2017.

This Policy is effective from 12 December 2017.

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7.0 REFERENCES/ASSOCIATED DOCUMENTS

Crime and Corruption Act 2001

Criminal Code Act 1899

Local Government Act 2009

Local Government Regulation 2012

Australia Taxation Office Taxation Determination TD 2016/13

GP-3-041 Code of Conduct for Councillors Policy

GM-4-001 Corporate Purchase Card Procedural Manual

GP-3-010 Entertainment and Hospitality Expenditure Policy

GP-3-081 Uniform Policy

GP-3-005 Council Vehicle Usage Policy

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Bundaberg Regional Council
 Organisational Services
 Issue Date:
 Review Date: 20-12-2017

Water Leak Relief Policy

GP-3-082

Rev. 9 (Draft)

1.0 INTENT

To facilitate an effective and efficient means for Council to provide relief to ratepayers by partially remitting water consumption charges in cases of financial hardship resulting from an unexpected and undetectable water leak which has occurred on a ratepayer's property.

2.0 SCOPE

This Policy outlines the principles which Council will use when applying relief to ratepayers who experience an undetectable water leak on their property which results in an increase in their water consumption charges.

3.0 POLICY OBJECTIVES

To provide relief to ratepayers in accordance with the following provisions of the *Local Government Regulation 2012*.

119 Concession for rates or charges

A local government may grant a ratepayer a concession for rates or charges for land only under this part.

120 Criteria for granting concession

(1) The local government may grant the concession only if it is satisfied -

.....

(c) the payment of the rates or charges will cause hardship to the land owner

121 Types of concession

The concession may only be of the following types -

(a) a rebate of all or part of the rates or charges.

122 Resolutions for granting concession

(1) The local government may grant the concession only by -

(a) a resolution granting the concession to a stated ratepayer; or

.....

(3) The local government may make a resolution under subsection (1)(a) only if the ratepayer has applied for the concession in a way accepted by the local government.

.....

(5) The resolution may include conditions for granting the concession to the ratepayer.

(6) Without limiting subsection (5), the conditions may include the following -

(a) a condition requiring the ratepayer to show the local government particular information or documents or follow a procedure to be eligible for the concession.

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4.0 POLICY

4.1 Criteria for granting relief as a result of a water leak

The eligibility of a ratepayer, as defined in this policy, to receive water leak relief from Council will be determined in terms of the following criteria.

- 4.1.1 The ratepayer applying for relief from water consumption charges must be responsible for the payment of the water consumption charges.
- 4.1.2 The water leak that was repaired must have resulted from a break or other fault in a fixture, fitting, pipe or other plumbing within a property, that was not reasonably foreseeable or detectable, resulting in unintentional loss of water within the property.
- 4.1.3 As Water Leak Relief is permitted in terms of the 'Hardship' provision of the *Local Government Regulation 2012*, relief may only be provided if water consumption exceeds the first step in Council's Water Tariff, which is currently water consumption in excess of 150 Kilolitres per half-year.
- 4.1.4 Relief excludes water leaks in buildings as these are more likely to be detectable by the ratepayer.
- 4.1.5 Ratepayers may only submit one water leak relief application every three years, provided that application is successful. If an application is unsuccessful, a subsequent application may be submitted; otherwise the ratepayer's next application may only be submitted three years after the date of their last approved application. The three-year restriction encourages ratepayers who have experienced a water leak to take responsibility for monitoring their future water use. Where Council has read a water meter and advised a ratepayer of a possible leak, and the ratepayer has taken several days to have the leak repaired, the ratepayer cannot claim the further loss of water during the days between the date on which the meter was read and the date on which it was repaired, which falls into the next water meter reading period.
- 4.1.6 A ratepayer must have a water leak repaired by a registered plumber (or a service supplier related to the type of water leak (e.g. landscaping company, swimming pool etc.), or must have the repair sighted and confirmed by a registered plumber, within 10 working days of the ratepayer becoming aware of the leak, or within 10 working days from the date of a letter from Council advising of a potential water leak, whichever is the sooner, unless there are compelling reasons why these timeframes cannot be achieved as indicated in section 4.1.9 of this Policy. These timeframes serve to limit the loss of water which is a precious community resource.

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4.1.7 Ratepayers must apply to Council for water leak relief by completing Council's prescribed application form, within 30 days as follows:

- 1) Where a ratepayer has a water leak repaired without being advised by Council of the possibility that the leak exists, and the ratepayer is aware of Council's water leak relief policy, the ratepayer must submit a water leak relief application within 30 days from the date on which the leak is repaired.
- 2) Where a ratepayer experiences a water leak and has it repaired but is not aware of Council's water leak relief policy until they receive notification from Council advising them that they may be eligible for relief, the ratepayer must submit a water leak relief application within 30 days from the date of Council's notification, as the leak has already been repaired.
- 3) Where a ratepayer receives notification from Council and has a water leak repaired within 10 working days of the date of that notification, in terms of the Policy, the ratepayer must submit a water leak relief application within 30 days from the date on which the leak is repaired.

The aforementioned timeframes will apply unless there is a compelling reason why these timeframes cannot be achieved as indicated in section 4.1.9 of the Policy.

4.1.8 The application for water leak relief must be submitted on Council's prescribed Water Leak Relief Application Form (FM-7-099) and must be accompanied by either:

- a) an account from a Registered Plumber, providing details of the water leak that was repaired, or
- b) a letter from a Registered Plumber providing details of the water leak that was repaired and confirming that the leak was repaired correctly, or
- c) an account from a suitably qualified service supplier, such as a Landscaping Company or Swimming Pool Company, providing details of a water leak that was repaired.

4.1.9 'Compelling reasons' indicated in sections 4.1.6 and 4.1.7 of this Policy, shall exclude circumstances where ratepayers:

- are unable to contact a plumber, or;
- experience a delay in receiving the plumbers account, or;
- have failed to advise Council of a change of address thus delaying the receipt of a high consumption letter, or;
- were not advised by their Property Agent about a potential water leak.
- have experienced malicious damage or vandalism to their property's water infrastructure, or theft of water, which are not covered by this Policy.

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The following common circumstances are considered to be 'compelling reasons' which prevent the repair of a water leak or the submission of a water leak relief application within the time frame stipulated in the Policy:

- Medical reasons where medical evidence can be produced to substantiate illness, which either housebound or hospitalised the applicant. Such evidence is to be supported by a statutory declaration declaring that the applicant had no one during their period of incapacity who could act for them or conduct their business affairs.
- Infirmary of the ratepayer which prevented them from discovering a leak or making an application within the specified timeframe.
- Natural disaster, such as extensive flooding, which disrupted normal business and prevented normal action from being taken.
- Absence from the property for reasons such as an absence overseas or elsewhere in Australia, where ratepayers were not aware of a leak and were therefore not capable of submitting an application within the specified timeframes. This should be proven by submitting airline tickets or similar documentation to substantiate travel.

4.2

4.2.1 The quantum of water leak relief to be provided:

Provided the ratepayer complies with all the criteria set out in this Policy, Council may write-off the difference between the second step water tariff and the first step water tariff, for consumption which is above the first step water consumption limit. For example, if the first step tariff is \$1.16 per kilolitre up to 150 kilolitres per half-year, and \$1.90 per kilolitre for consumption above 150 Kilolitres, relief would be the difference between \$1.90 and \$1.16, that is 74 cents, multiplied by the number of kilolitres used in excess of 150 kilolitres. The following example illustrates how relief would be calculated:

Water consumption including a water leak:	650 Kilolitres
Actual Charge (150 Kls x \$1.16 = \$174.00) + (500 Kls x \$1.90 = \$950.00)	= \$1,124.00
Charge Per Water Leak Relief Policy 650 Kls x \$1.16 per Kilolitre	= \$754.00
Water Leak Relief (Actual charge less consumption at \$1.16 per Kilolitre):	= \$370.00

4.2.2 Where a water leak occurs in a dedicated fire service, and provided the ratepayer complies with all the criteria set out in this Policy, the water consumption for the relevant half-year water period will be charged at the second step tariff per kilolitre. The relief provided will be the difference between 10 times the second step tariff per kilolitre and the second step

tariff per kilolitre. For example, if Council's second step water tariff is \$1.90 per kilolitre then relief would be calculated as follows:

Water consumption including a water leak:	650 Kilolitres
Actual Charge (First 10 Kls Free) + (640 Kls x \$19.00 = \$12,160.00)	= \$12,160.00
Charge Per Water Leak Relief Policy 640 Kls x \$1.90 per Kilolitre	= \$1,216.00
Water Leak Relief (Actual charge less consumption at \$1.90 per Kilolitre):	= \$10,944.00

5.0 CONTROLS

Sections 119 to 122 of the *Local Government Regulation 2012* which provide a framework in which local governments may apply water leak relief as follows:

119 Concession for rates or charges

A local government may grant a ratepayer a concession for rates or charges for land only under this part.

120 Criteria for granting concession

(1) The local government may grant the concession only if it is satisfied -

.....

(c) the payment of the rates or charges will cause hardship to the land owner

121 Types of concession

The concession may only be of the following types -

(a) a rebate of all or part of the rates or charges.

122 Resolutions for granting concession

(1) The local government may grant the concession only by -

(a) a resolution granting the concession to a stated ratepayer; or

(b) if the concession is of a type mentioned in section 121(a) or (b) - a resolution granting the concession to a ratepayer who is a member of a stated class of ratepayers.

(2) The local government may make the resolution before the local government levies the rates or charges.

(3) The local government may make a resolution under subsection (1)(a) only if the ratepayer has applied for the concession in a way accepted by the local government.

(4) If the local government grants a concession by making a resolution under subsection (1)(b), the concession may be granted only to the ratepayers whom the local government is satisfied are eligible for the concession.

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- (5) *The resolution may include conditions for granting the concession to the ratepayer.*
- (6) *Without limiting subsection (5), the conditions may include the following -*
- (a) *a condition requiring the ratepayer to show the local government particular information or documents or follow a procedure to be eligible for the concession.*

In the application of this Water Leak Relief Policy, Council determines that the General Manager Organisational Services, Chief Financial Officer and the Revenue Manager are each authorised persons pursuant to section 202 of the *Local Government Act 2009*.

Pursuant to Part 5 of Chapter 7 of the *Local Government Act 2009*, the Council authorises the General Manager Organisational Services, Chief Financial Officer and Revenue Manager each to determine, pursuant to section 130 of the *Local Government Regulation 2012*, if water leak relief should be permitted in accordance with this Water Leak Relief Policy. Where the General Manager Organisational Services, Chief Financial Officer and Revenue Manager makes such a determination, water leak relief can be applied.

6.0 EFFECTIVE FROM

The Water Leak Relief Policy was adopted by Council on 12 December 2017.

This Policy is effective from 12 December 2017.

7.0 REFERENCES/ASSOCIATED DOCUMENTS

Local Government Act 2009

Local Government Regulation 2012

GP-3-001 Revenue Policy

GP-3-038 Revenue Statement

FM-7-099 Water Leak Relief Application Form

Council's Annual Budget Report

GP-3-082 Rev. 9 (Draft) Approved By: General Manager Organisational Services	Page 6 of 6
Document issue is correct at the time of print. For printed copies, use IMS Intranet Page to verify correct issue.	

**Item****12 December 2017****Item Number:**

J1

File Number:

LP/

Part:

PLANNING

Portfolio:

Planning & Development Services

Subject:

Second Review of Bundaberg Open for Development 2016 Infrastructure Charges Incentives Scheme

Report Author:

Michael Ellery, Group Manager Development

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our Environment - 2.4 Delivery of cost-effective and efficient essential services to support our growing population.

Background:

On 19 July 2016 the Council resolved to implement a new infrastructure charges incentives scheme known as 'Bundaberg Open for Development 2016'. Since that time, the Council has been incentivising development across four broad categories:-

- Rural sector development – 100% discounts for certain direct rural or rural industry activities, 50% discount for certain allied uses (eg workers accommodation);
- Long term employment generating development – 50% discounts for industrial, medical, tourism and business (where in a Centres Zone) development;
- CBD/Town Centre development – 100% discount for certain targeted developments located in the Bundaberg CBD, town centres of Gin Gin and Childers, and the core tourism area of Bargara; and
- Housing Affordability – 50% discount for infill residential development and fully serviced residential subdivisions located in the Low Density Residential Zone or Emerging Community Zone.

Following a review of the incentives programme earlier this year, the Council at its meeting of 6 June 2017 made the following amendments to the rules for the incentives:

- The closing date for applications was extended to 22 December 2017;
- Two new types of development were added to the housing affordability category, being rural residential subdivision (where in a rural residential zone) and relocatable home parks.

Applications for the incentives opened on 19 July 2016 and are currently scheduled to close on 22 December 2017. Incentivised developments have until 19 July 2018 to be completed to receive the offered discounts.

As of 30 November 2017, the Council had received 117 applications for incentives, 107 of which met the eligibility criteria.

Should all the incentivised developments be completed, the following outcomes will be achieved:

- \$233.5 million (approx.) investment in building and civil works;
- 324 new residential units;
- 643 new residential lots;
- 397 short term accommodation beds;
- 31,000 m² of additional commercial gross floor area;
- 4,500 m² of additional industrial gross floor area.
- A total discount off infrastructure charges in the order of \$12.5 million.

It is noted that there are a number of developments currently awaiting finalisation of permits before completion of their incentives application.

Following a further review of the outcomes of the program and discussions with Council, a number of changes are proposed to the current incentives scheme.

Closing Date for Applications

As stated above, the closing date to apply for the incentives is currently 22 December 2017. To provide additional time for the preparation of properly prepared development applications that have been progressing through the pre-lodgment stage as well as provide opportunities for a number of developments that are currently under assessment to obtain their approvals, it is proposed to extend the closing date for applications to close of business on 29 June 2018.

Completion Date for Incentivised Development

Given the proposed extension of time for applications, the current completion date of 19 July 2018 would unlikely to be achieved for developments incentivised from this point on. To allow developments that apply and obtain incentives between 22 December 2017 and 29 June 2018 sufficient time to be completed and thereby secure the incentives, it is proposed that the completion date be extended to 28 June 2019. Any developments incentivised on or before 22 December 2017 will still be required to be completed by 19 July 2018, as is stipulated in the executed infrastructure agreements for these developments.

Associated Person/Organization:

Not applicable.

Consultation:

Portfolio Spokesperson: Cr Ross Sommerfeld

Divisional Councillor: Not applicable, applies to the whole region

The Open for Development 2016 fact sheet will be updated as will Council's website. An email alert will be sent to industry providing links to the updated terms and conditions of the incentives scheme.

Legal Implications:

The rules and regulations that provide the framework for the incentives scheme will be updated to reflect the new dates for application and completion.

As noted previously, the discounts and performance of the developer will be required to be secured by an infrastructure agreement. A template has been developed for use by Council and developers. Once the Infrastructure Agreement is executed it will be binding on the parties to the agreement, including successors in title to the subject land.

To the extent that an agreement is not executed then Council will not be bound to provide the discounts.

Otherwise, there are no legal implications on implementing the broader range of incentives that all fit within the framework of the *Planning Act 2016*.

Policy Implications:

As previously advised, the infrastructure charges incentives are inconsistent with Council's current Infrastructure Charges Resolution.

Financial and Resource Implications:

The possible financial impacts of the Bundaberg Open for Development incentives scheme was previously outlined in the report to Council of 19 July 2016. It is noted that a total potential discount of approximately \$12.5 million has been or will be offered to developers under the current rules of the incentives scheme.

If the same rate of discount is maintained over the next 6 months, this would result in a total discount of infrastructure charges of approximately \$16.6 million.

Risk Management Implications:

There appears to be no risk management implications. The rules and regulations of the incentives scheme have been reviewed by Council's solicitor to reduce the risk of unintended consequences.

Communications Strategy:

A Communication Strategy is:

- Not required
- Required

Attachments:

- [↓1](#) Updated Application Form
- [↓2](#) Updated Fact Sheet

Recommendation:

That the Bundaberg Open for Development 2016 Infrastructure Charges Incentives Scheme be amended as follows:-

- (a) The closing date for applications for the incentives be extended to 29 June 2018;**
- (b) The completion date for any eligible applications for incentives that are received after 22 December 2017, be extended to 28 June 2019.**

Bundaberg Open for Development 2016 Infrastructure Charges Incentives Application Form

Council is offering infrastructure charges incentives to attract developments that will generate longer term economic growth and job creation where they are consistent with our planning vision for the region.

To see if your development is eligible for infrastructure charges incentives, please refer to Attachment A.

To apply, please complete this form and return to Council prior to 29 June 2018. Please email directly to Development@bundaberg.qld.gov.au

Developers details

Name/s (individual or company name in full):			
For Contact Name:			
Postal Address:			
	Suburb:	State:	Postcode:
Contact Number:		Fax Number:	
Email address:			

Owners details

Name/s (individual or company name in full):			
Postal Address:			
	Suburb:	State:	Postcode:
Contact Number:		Fax Number:	

Description of Land

Property Address			
Property Description:	Lot		Plan Type & No.
	Lot		Plan Type & No.
	Lot		Plan Type & No.

Declaration

In lodging this request for an infrastructure charge discount I/We _____ declare that the owners of the property have consented to enter into an infrastructure agreement subject to the terms of the Rules and Regulations of the Bundaberg Open for Development initiative.

Signature/s:

Date

Application Details
<p>Which of the following categories of incentivised development are you applying for (please see definitions):</p> <p><input type="checkbox"/> Rural Sector development</p> <p><input type="checkbox"/> CBD/Town Centre development</p> <p><input type="checkbox"/> Long Term Employment Generating development</p> <p><input type="checkbox"/> Housing Affordability development</p> <p><i>NOTE: if the proposed development does not fit within a category listed, the development may not be eligible for this program but may be eligible for other incentives offered by Council. Please contact Council's Development Assessment team on 1300 883 699 for further information about how we can assist with your development. Please see definitions in Attachment B for assistance in determining what category your development may fit within.</i></p>
Details of the Development Permit or Compliance Permit
Application No:
Type of Approval:
Date Approval took effect:
Have the adopted infrastructure changes or infrastructure contribution/s been paid?
<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposal Details
What is the proposed value of works for the development? \$
What is the anticipated number of jobs to be created by this development? (if known/applicable)
If the development is for residential development please provide the following:
Number of dwelling units Number of lots
If the development is for commercial or industrial uses please provide the following:
Gross Floor Area (GFA)
Staged Development
Is the development a staged development?
<input type="checkbox"/> Yes <input type="checkbox"/> No
Is it proposed that a discount apply to certain stages of the development and not the whole of the development?
<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Note: if development is to be staged, the application needs to be accompanied by a staging plan.</i>
If it is proposed that a discount apply to certain stages of the development, provide details of:
<ul style="list-style-type: none"> • the total number of stages in the development and the site area of the total development. • the stages to which a discount is sought to be applied.

----- END OF APPLICATION FORM -----

Attachment A: Rules and Procedures

1. Background	
<p>On 19 July 2016 Council launched the “Bundaberg Open for Development 2016” incentives scheme with the objective of stimulating new construction activity and creation of longer term employment in the region. As part of this initiative, Council is offering discounts for infrastructure charges for specific targeted developments.</p> <p>Council resolved to develop these rules and procedures to guide its decision-making in assessing applications for the infrastructure charges incentives.</p> <p>Bundaberg Open for Development 2016 will commence on 19 July 2016 and applies to Eligible Development. A development that has been completed prior to 19 July 2016 is not eligible for the infrastructure charges incentives.</p>	
2. Eligibility for infrastructure charges incentives	
2.1	A Development Approval exists for the development.
2.2	<p>The Council has either:</p> <ul style="list-style-type: none"> • issued a Charges Notice in relation to the Development Approval; or • imposed an infrastructure contribution condition in the Development Approval; <p>AND The development is not subject to an existing infrastructure agreement that varies the amount of Infrastructure Charges payable (except where the infrastructure agreement relates to an extension of the relevant period for the Development Approval).</p>
2.3	The development is for Rural Sector, Long Term Employment Generating, CBD/Town Centre or Housing Affordability development as defined in Attachment B.
2.4	The development was not Completed on or before 19 July 2016. For staged development, the stage being applied for was not Completed on or before 19 July 2016.
2.5	The development is not eligible for a refund for the provision of trunk infrastructure pursuant to s649 of the <i>Sustainable Act 2009 (SPA)</i> (or equivalent section in any subsequent legislation). If through a conversion application (s659 SPA) or a recalculation of the establishment cost of trunk infrastructure (s657 SPA) a development that at the time an application under this policy was made was not subject to a refund becomes subject to a refund, then the development will no longer be eligible for a discount under this incentives scheme.
2.6	Development that does not meet the above criteria is not eligible for the infrastructure charges incentives.
3. Rules	
3.1	Developments seeking to take advantage of the infrastructure charges incentives must make application to Council for a discount using the approved form. Applications for the infrastructure charges incentives can be made at any time prior to 29 June 2018.
3.2	Only one infrastructure charges incentives offer can apply to a development.
3.3	<p>The infrastructure charges incentives will not apply to:</p> <ul style="list-style-type: none"> • any development that has been Completed on or before 19 July 2016; and • any development that is Completed after 28 June 2019.

3.4 Discounts for the Infrastructure Charges are as follows:

- 100% discount for development that is Completed by 28 June 2019 which is for:

- (a) CBD/Town Centre development;
- (b) Rural Sector development where:
 - (i) Intensive horticulture;
 - (ii) Rural industry;
 - (iii) Aquaculture; or
 - (iv) Winery (where located in a Rural zone);

- 50% discount for all other Eligible Development that is completed by 28 June 2019.

The above discounts are taken to be discounts off the applicable Infrastructure Charges specified in a Charges

<p>Notice or conditioned in a Development Approval (as varied by any infrastructure agreement relating to an extension of the relevant period of the Development Approval, where one exists). To be clear, no other discounts either under an Adopted Infrastructure Charges Resolution or other policy will apply.</p>
<p>3.6 The maximum discount under the incentives scheme is no more than \$1 million for an Eligible Development.</p>
<p>3.7 Council may, in its absolute discretion, extend the date for any of the above discounts for a particular development where:</p> <ul style="list-style-type: none"> • The Applicant can show sufficient reason why the development cannot be completed by the original Completion Date; and • The development has achieved Substantial Commencement prior to the original Completion Date.
<p>3.8 Applications to extend the date by which development is to be Completed for any particular discount must be made in writing and received prior to expiry of the Completion Date. Any extension to the date by which development is to be Completed is at Council's absolute discretion.</p>
<p>3.9 Compliance with the Completion Date for receiving the incentive reduction in Infrastructure Charges is only achieved through full compliance with the following:</p> <ul style="list-style-type: none"> • For developments involving material change of use and building works, the issue of a certificate of classification for building works and/or issue of final inspection certificate by the Completion Date; or • For developments involving material change of use and no building works, the approved use is established by the Completion Date; or • For development involving reconfiguring a lot, all plans of reconfiguration (or for an application which applies to a particular stage, all plans of reconfiguration for that stage) are lodged with the Council by the Completion Date.
<p>3.10 Applicants must provide evidence to the Council of Substantial Commencement within 5 business days of the achievement of Substantial Commencement.</p>
<p>3.11 Applicants must provide evidence to the Council of Completion within 5 business days of the Completion Date.</p>
<p>3.12 In all cases, Council must be satisfied that all applicable conditions of the Development Approval for the development Completed have been satisfactorily complied with.</p>
<p>3.13 The discount will be applied at the time of payment of the Infrastructure Charges, but no discount is applicable if Infrastructure Charges are not paid when due.</p>
<p>3.14 Nothing stops development from making early payment of Infrastructure Charges payable after approval for discount has been given under this policy. However, early payment does not guarantee eligibility for any discount. Development must comply with the terms of the executed infrastructure agreement to secure approved discounts.</p>
<p>3.15 The discount applies to net charges after credits and offsets for the provision of trunk infrastructure have been deducted. To be clear, no discount given under this policy can result in a development receiving a refund.</p>
<p>4. Process</p>
<p>4.1 Applicants must lodge the application form prior to 30 June 2018.</p>
<p>4.2 Within five (5) business days of Council receiving the request, Applicants will be notified by Council via email about whether the development is eligible for the incentive scheme applied for and details of any approved reduction in Infrastructure Charges subject to the incentive requirements being met and if so;</p> <p>(a) An infrastructure agreement will be issued identifying the discount available and must be signed by the Applicant to acknowledge all terms applying to the incentive offer approved for the development;</p> <p>(b) For the discounts to apply, the Applicant must execute and return the infrastructure agreement to Council prior to the time for payment of the Infrastructure Charges.</p>

Attachment B: Definitions

The below table contains the definitions for the Bundaberg Open For Development 2016 incentives scheme. If a word is not defined in this document, unless the context or subject matter otherwise indicates or requires, the word is to have a meaning given to it by the following:

- (a) the Planning Act;
- (b) the Bundaberg Regional Council Planning Scheme 2015 if the word is not defined in the Planning Act;
- (c) the Macquarie Dictionary if the word is not defined in the Planning Act or the Bundaberg Regional Council Planning Scheme 2015.

Where a Development Approval has been given under one of the four superseded planning schemes for the Bundaberg Region, the development's eligibility will be determined by applying the definition from the Bundaberg Regional Council Planning Scheme 2015 that best fits the approved development.

Definition	
Adopted Infrastructure Charges Resolution	Means Adopted Infrastructure Charges Resolution (NO.1) 2012, Adopted Infrastructure Charges Resolution (NO.1) 2013, Adopted Infrastructure Charges Resolution (NO.1) 2014 or Adopted Infrastructure Charges Resolution (NO.1) 2015.
Applicant	Means the applicant for the infrastructure charges incentives under this policy.
Business Activities	Means any of the following: <ul style="list-style-type: none"> • Adult store; • Agricultural supplies store; • Bar; • Car wash; • Food and drink outlet; • Garden centre; • Hardware and trade supplies; • Market; • Office; • Outdoor sales; • Sales office; • Service station; • Shop; • Shopping centre; • Showroom; • Veterinary services.

**CBD/Town Centre
development**

Means development located within the Bundaberg CBD, Childers Town Centre, Gin Gin Town Centre or Bargara Tourism Precinct as delineated in the Bundaberg Open for Development 2016 maps (shown on Council's website at www.bundaberg.qld.gov.au/development/bo4d) for any one or combination of the following purposes defined under the Bundaberg Regional Council Planning Scheme 2015 subject to any limitation in brackets:

- Bar
- Dual occupancy (where part of a mixed use building)
- Dwelling unit (where part of a mixed use building)
- Educational establishment;
- Entertainment activities;
- Food and drink outlet;
- Multiple dwelling;
- Offices;

	<ul style="list-style-type: none"> • Shop; • Shopping centre; • Short-term accommodation; and • Showroom.
Charges Notice	<p>Means:</p> <ul style="list-style-type: none"> • an infrastructure charges notice as defined in section 627 of the <i>Sustainable Planning Act 2009 (SPA)</i>; or • a notice mentioned in section 977(1) of SPA; or • a notice equivalent to an infrastructure charges notice which is given under legislation which repeals and replaces SPA.
Completed	<p>Means for a material change of use:</p> <ul style="list-style-type: none"> • Where involving building works, a certificate of classification or the final inspection certificate (for a single detached class 1a building or structure) has been issued; or • Where not involving building works, the approved use has been established. <p>Means for reconfiguring a lot all plans of reconfiguration (or for an application which applies to a particular stage, all plans of reconfiguration for that stage) have been given to Council.</p>
Completion Date	<p>Means:</p> <ul style="list-style-type: none"> • 19 July 2018; or • such date as extended by the Council pursuant to section 3.7 of Attachment A.
Development Approval	A development permit for a material change of use or a development permit or compliance permit for reconfiguring a lot or a development permit for building work for a dual occupancy that has not lapsed.
Eligible Development	Means proposed development that satisfies the requirements of section 2 of Attachment A.
Entertainment Activities	<p>Means any of the following:</p> <ul style="list-style-type: none"> • Club; • Function facility; • Hotel; • Nightclub entertainment facility; • Theatre; • Tourist attraction.
Housing Affordability development	<p>Means development for any of the following:</p> <ul style="list-style-type: none"> • Infill Residential Development; or • Relocatable Home Park; or • Reconfiguration of a lot creating residential allotments on land located within the Rural Residential Zone; or • Reconfiguration of a lot creating more than ten (10) fully serviced (including both reticulated water and sewerage infrastructure) residential allotments on land located within the Low Density Residential zone, Medium Density Residential zone or Emerging Community zone.

Industry Activities	Means any of the following: <ul style="list-style-type: none"> • Bulk landscape supplies; • Extractive industry; • High impact industry; • Low impact industry; • Marine industry; • Medium impact industry; • Research and technology industry; • Service industry; • Special industry; • Transport depot; • Warehouse.
Infill Residential Development:	Means residential development (including multiple dwellings and dual occupancies) located on land which is: <ul style="list-style-type: none"> • situated within an existing suburb or township; • substantially surrounded by existing urban development; • serviced by urban roads and reticulated water supply; • was less than one (1) hectare in area on 19 July 2016 and is less than one (1) hectare in area on the date of application for a discount under this policy; • developed for not more than ten (10) residential lots or dwellings; and • located within the identified Priority Infrastructure Area of the Bundaberg Regional Council Planning Scheme 2015; and • does not constitute a stage of a larger development that does not otherwise meet the criteria of this definition.
Infrastructure Charges	Means infrastructure charges or contributions for trunk infrastructure payable pursuant to a Charges Notice or a contribution condition in a Development Approval.
Long Term Employment Generating development	Means development for any one or combination of the following purposes defined under the Bundaberg Regional Council Planning Scheme 2015 subject to any limitation in brackets: <ul style="list-style-type: none"> • Industry activities; • Health care services; • • Hospital; • Resort complex; • Short term accommodation; • Tourist park; • Nature-based tourism; • Tourist attraction; and • Business activities (where located on land in either the Principal Centre zone,
Planning Act	Means the <i>Sustainable Planning Act 2009</i> or subsequent legislation which repeals and replaces that act.
Priority Infrastructure Area	Is the area where suitable and adequate development infrastructure exists, or where it can be provided most efficiently (the maps contained within the Bundaberg Regional Council Planning Scheme 2015 titled Priority Infrastructure Area delineates the boundaries of the Priority Infrastructure Area for this incentives scheme).

Rural Sector development	<p>Means development for any one or combination of the following purposes defined under the Bundaberg Regional Council Planning Scheme 2015 subject to any limitation in brackets:</p> <ul style="list-style-type: none"> • Intensive horticulture; • Rural industry; • Aquaculture; • Winery (where located in a Rural zone); • Intensive animal husbandry; • Short-term accommodation (for the purpose of accommodating backpackers and/or itinerant farm workers); • Non-resident workforce accommodation (for the purpose of accommodating backpackers and/or itinerant farm workers); or • Rural workers accommodation.
Substantial Commencement	<p>Means for a material change of use the commencement of the construction of either slab or footings (whichever is required for the development) proportionate to the size of the development proposed.</p> <p>Means for reconfiguring a lot the commencement of civil works (such as roadwork, water or sewer connections, stormwater pipe work).</p> <p>Preliminary site works including tree clearing or bulk earth works are not considered to be substantial commencement for these purposes.</p>



BUNDABERG *Open* FOR DEVELOPMENT

Promoting Development Activity in the Bundaberg Region

The development and construction industry is a key component of the Bundaberg regional economy. In 2014/15 the construction industry contributed \$351.2 million to the gross regional product and directly employed nearly 3,000 people locally with flow-on benefits to many other local businesses.

The Bundaberg Regional Council is firmly committed to supporting this key sector of the economy to provide employment and economic growth for our region. Following on from the success of the incentives for development provided over 2013-2015, the Council has developed a new range of incentives to stimulate further development activity, provide opportunities for longer term job creation and to assist housing affordability in our region.

Incentives for Development Creating Jobs and Affordable Housing

Council is offering incentives to attract developments that will **generate longer term economic growth and job creation** where they are consistent with our planning vision for the region. Council is also looking to incentivise certain residential developments that will put downward pressure on the cost of new housing.

To do this, Council is offering a range of discounts off infrastructure charges across four categories:

Long Term Employment Generating Development

Council is discounting infrastructure charges by 50% for the following types of development:

- All industrial development;
- Medical related development;

- Tourism related development; and
- Certain commercial uses, where located on land in a Commercial zone.

CBD/Town Centre Development

Council is fully discounting (100%) infrastructure charges for certain, key development within the Bundaberg CBD, and the town centers of Childers, Gin Gin and Bargara to stimulate development that keeps these key economic nodes vibrant and attractive places for residents and businesses alike. Development incentivized under this category is:

- Short Term Accommodation;
- Residential Units;
- Offices, Shops, Showrooms and Shopping Centers
- Entertainment Activities;
- Bars, and Food and Drink Outlets;
- Educational Establishments; and
- Mixed use developments that incorporate a combination of the above uses.



*Promoting Development Activity in the
Bundaberg Region*

□ Rural Sector

To provide a direct stimulus to farmers to undertake development that encourages value adding to farms, the following discounts off infrastructure charges will apply:

- 100 % for Intensive Horticulture, Rural Industry, Aquaculture and Winery (where in a Rural zone) developments; and
- 50 % for Intensive Animal Industry, Short Term Accommodation and Non-resident Workforce Accommodation where for backpackers and/or itinerant farm workers, and Rural Workers Accommodation development.

□ Housing Affordability

To cater for anticipated population growth, the Bundaberg Region will require an additional 21,000 dwellings by 2031. To help achieve this target whilst maintaining housing affordability, Council is discounting charges on the following residential developments:

- 50% off infrastructure charges for Relocatable Home Parks;
- 50% off infrastructure charges for Infill Residential Development;
- 50% off infrastructure charges for rural residential subdivision where located in a Rural Residential Zone; and
- 50% off infrastructure charges for fully serviced (sewer and water) residential subdivision creating more than ten lots where located in a Low Density Residential Zone, Medium Density Residential Zone or Emerging Community Zone.

What to do to take advantage of the Incentives

To be eligible for the discounts available, it is necessary to make a simple and quick application to Council. The application form can be found on our website or is available from Council offices. Applications for the infrastructure charge discounts open on 19 July 2016 and must be received before **the new closing date of 29 June 2018.**

Development that is incentivised under this program is required to be completed before 19 July 2018.

Please see the Rules and Procedures attached to the application form as well as the Bundaberg Open for Development 2016 Infrastructure Agreement for full details on the discounts on offer as well as the obligations applicable to developers and land owners.

Helping in Other Ways

Apart from the direct financial incentives, the Bundaberg Regional Council provides a range of other measures to assist residents and developers with their development projects including:

- Free pre-lodgement meetings;
- Dedicated Senior Planner for management of major projects;
- Fast tracked assessment of low-risk applications;
- Easy-to-access planning information on Council's website; and
- Further planning work in key development areas including the Bundaberg CBD and Burnett Heads.

If you are looking to develop in the Bundaberg Region, the Council is here to assist. To find out how we can help you with your development proposal, please contact the Development Group on 1300 883 699 or email us on

Duty.Planner@Bundaberg.qld.gov.au

Promoting Development Activity in the Bundaberg Region



MD-7-807 Rev.1 08/05/17 P2 of 2

**Item****12 December 2017****Item Number:**

J2

File Number:

qA1021307

Part:

PLANNING

Portfolio:

Planning & Development Services

Subject:

Local Government Infrastructure Plan (LGIP) Amendment

Report Author:

Arron Walker, Strategic Planning Engineer

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our Environment - 2.4 Delivery of cost-effective and efficient essential services to support our growing population.

Background:

Council at its meeting of 2 February, 2016, resolved to prepare a Local Government Infrastructure Plan (LGIP). Following preparation of the proposed LGIP and compliance check by Council's appointed reviewer, Integran Pty Ltd, Council resolved at its meeting of 18 July 2017 (Item J1) to request State Interest review of the proposed LGIP and approval to publicly consult on the proposed LGIP amendment. The Minister for Infrastructure and Planning advised by letter dated 15 September 2017, that the proposed LGIP was approved for public consultation subject to the following conditions, which were complied with prior to commencement of public consultation –

1. Remove artwork and clubhouse items from the park embellishments in the draft LGIP.
2. Include extrinsic material which outlines the constraints and process used to determine the developable area.

The proposed LGIP amendment was on public display from 3 October 2017 to 17 November 2017. The public consultation undertaken consisted of the following:

- A public notice about the proposed LGIP was published in the NewsMail on 30 September 2017. This public notice identified the LGIP public consultation period, where to obtain information and how to make a submission;
- The proposed LGIP documentation, maps and related information was added to Council's public website. This included a link to the LGIP content from the "Have your say" page;

- Proposed LGIP mapping, including the Priority Infrastructure Area (PIA) and Plans for Trunk Infrastructure (PFTIs) were added to Council’s interactive mapping website;
- A public information session was held on 18 October 2017 (between 4.00 pm and 6.00 pm);
- The proposed LGIP was also made available at Council’s customer service centres; and
- Upon request, an LGIP presentation and information session was conducted at Insite SJC on 25 October 2017.

Submissions

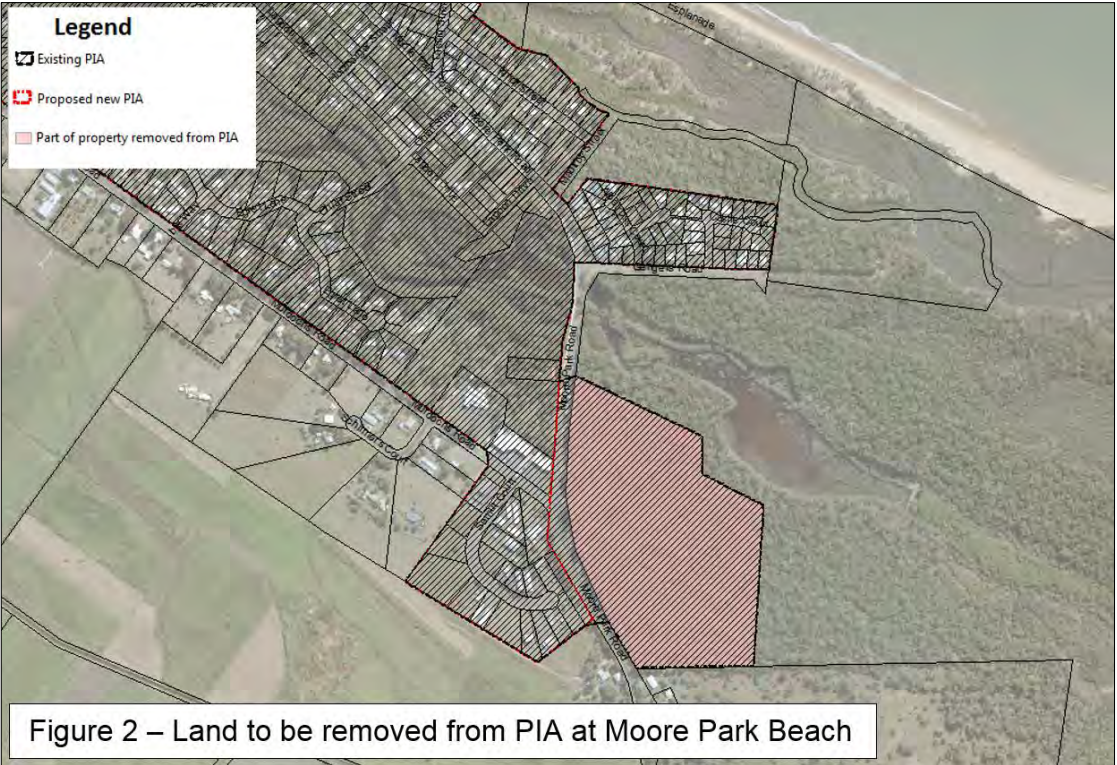
Council received two submissions related to the LGIP. These consisted one submission from the UDIA and one internal Council submission. A summary of the key points raised are summarised in Table 1 below:-

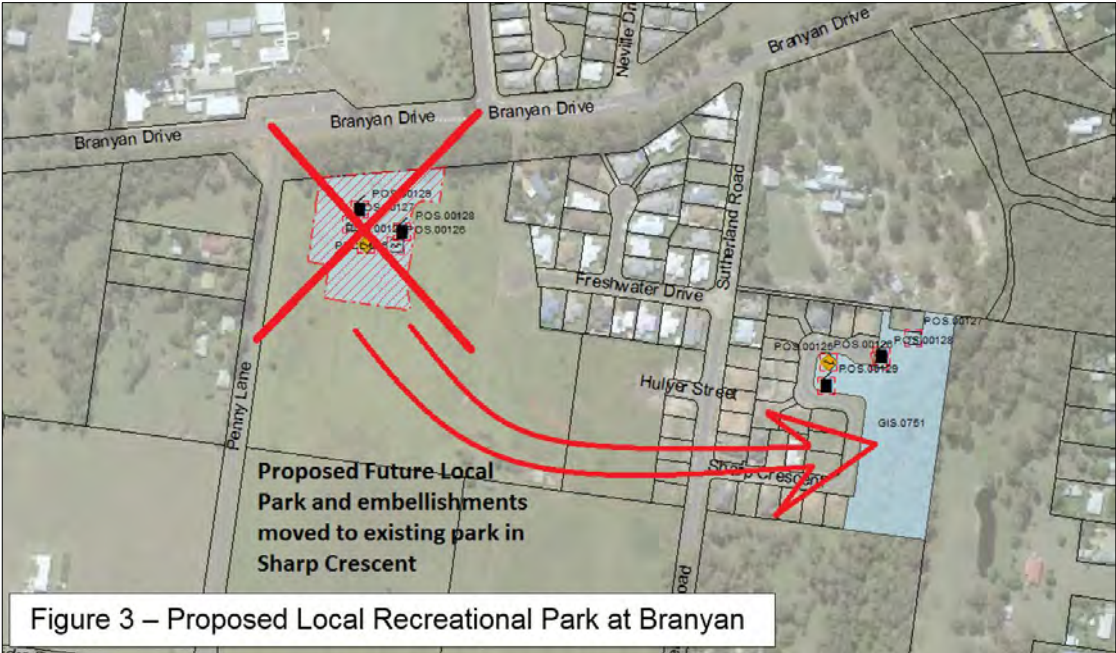
Table 1 – Submission Summary

ID	Matter Raised	LGIP Amended	Response
Matters Raised in UDIA submission			
1	The PIA is tight, that is not fulsomely providing for expected development over the next 10-15 years.	No	The PIA is tight because the population data doesn’t show significant growth in the next 10 to 15 years. Council can redistribute population where current approvals exist (i.e., see next item in this table) but cannot increase the PIA across the board without supporting population projections.
2	The PIA does not include some programmed developments that hold development approvals and infrastructure agreements.	Yes	The approved development at 459 Branyan Drive (i.e., SCM Investments Pty Ltd) has been included into the PIA (see Item 5, Figure 1 below).
3	The PIA is incorrect or outdated in some development sequencing included in the development sequencing maps.	No	The PIA on the development sequencing maps are correct.
4	The PIA assumes certain growth outside it on sites that appear to be incapable of closer residential settlement or other intensification.	No	It should be noted that areas that are constrained or are incapable of intensification will be shown as having a high level of development on the development sequencing maps (i.e., they have no ability for further growth).
5	Very little of the Branyan Identified Growth Area has been included in the PIA. A structure plan is urgently	Yes	Some minor increases to the PIA have been made in the Branyan area as shown at Figure 1 below. Once Council has completed the structure plan for

ID	Matter Raised	LGIP Amended	Response
	required for the Branyan growth area.		Branyan the LGIP and PIA will be adjusted accordingly.
<div data-bbox="261 367 1382 974"> <p data-bbox="272 383 432 517">Legend Existing PIA Proposed new PIA Properties added to PIA</p> <p data-bbox="272 913 1007 958">Figure 1 – Land to be included in PIA at Branyan</p> </div>			
6	Concerns are raised regarding the dwelling assumptions and projections. The proposed LGIP indicates a base population in 2016 of 99,390 and 41,634 dwellings whereas the Census indicates a population of 92,897 and 43,909 dwellings. These numbers are also lower than the previous PIP projection. Discrepancies in population and dwelling numbers could result in poorly timed infrastructure or additional costs on housing and the community. If the numbers included in the draft LGIP reflect an allowance for tourism stays this should be identified for readers.	No	The population assumptions used in the LGIP are outlined in the <i>Population and Demand Spatial Model – Water Supply, Sewerage & Transport (Roads) (Integrans 2016)</i> extrinsic material report. As per the report, the population figures used in the LGIP are based on the draft 2015 Queensland Government Statistician’s Office (QGSO) population projections (Medium Series). These were the most recent population projections at the time the demand model was developed. Tourism forecasts have been included in the projections and are based on data provided by the ABS at the time the demand model was developed. Currently QGSO has the estimated residential population for Bundaberg LGA of 94,453 persons for 2016 (i.e., without Tourist population). The value used in the LGIP for 2016 is 96,270 (i.e., without Tourist population). The difference between the LGIP and the current QGSO is approximately 2% which is not significant enough to prompt a recalculation of the LGIP’s demand model at this stage.
7	Some improvement to the definition of the cost of items of trunk infrastructure and future trunk that are to be delivered	Yes	Some additional information related to the calculation process used for trunk infrastructure costs has been added. This information also directs the reader

ID	Matter Raised	LGIP Amended	Response
	beyond 5 years is required. Action should be taken to improve the assessment of the cost of trunk items.		to Council's Adopted Charges Resolution making note of the recalculation of establishment costs procedure.
8	Details should be provided on the outcomes of Council's consultation with Department of Transport and Main Roads (DTMR) during the preparation of the LGIP.	No	As noted in the LGIP reviewer's statement, DTMR indicated that they were satisfied they had been consulted as part of the LGIP process. This consultation resulted in some variations being made to trunk Council assets which intersected with State Controlled Assets.
9	The UDIA considers that in principle, the consultant that develops the LGIP should not perform the review.	No	This is permitted by the State Government Statutory Guideline for LGIPs. This has provided cost savings and avoided potential surprises and significant delays at the review stage. It is noted that the State Government also reviews and is ultimately responsible for approving the LGIP for public consultation and adoption.
10	The Desired Standards of Service (DSS) should be independently benchmarked and reviewed to ensure standards are appropriate and optimised.	No	The DSS have been reviewed by Council's consultant and appointed reviewer to ensure the standards are appropriate. It is also noted that the DSS have been developed based on a review of the current DSS in Council's Priority Infrastructure Plan, which has been in place for 2 years. Council's emphasis in this review has been to reduce costs through applying appropriate levels of service wherever possible.
11	Industry input be sought regularly so that the planned densities, land use and yield provisions, infrastructure and development timeframes are more certain and respond to changing market situations.	No	Council is committed to working with industry to ensure the LGIP and Council's other planning instruments are reviewed and updated regularly to respond to emerging issues and continue to meet community expectations.
Matters Raised in Council submission			
12	A new identified upgrade of Money's Creek Culvert on Hughes Road is not shown in the LGIP.	Yes	The missing identified trunk infrastructure has been added to the PFTIs and the Schedule of Works (SOW) model has been updated.
13	An identified upgrade of Hughes Road between Bargara Road and Watson Road is not shown in the LGIP.	Yes	The missing identified trunk infrastructure has been added to the PFTIs and SOW model updated.

ID	Matter Raised	LGIP Amended	Response
14	Proposed works at Elliott Heads Foreshore are not shown in the LGIP.	Yes	The missing identified trunk infrastructure has been added to the PFTIs and SOW model updated.
15	The Trunk Collector identified for Frizzles Road (i.e., P.RD.0048) should only be a non-trunk Collector Street.	Yes	P.RD.0048 has been removed from the PFTIs and SOW model.
16	Rural zoned land has been included within the PIA along Moore Park Road. The proposed residential development on Lot 2 RP130787 (Bundaberg Sugar Ltd) has not been decided and therefore should not be included within the PIA.	Yes	The rural zoned land has been removed from the PIA (see Figure 2 below). This growth has been redistributed, allowing the PIA to be expanded in Branyan in response to matters raised in the submission made by the UDIA.
<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;"> <p>Legend</p> <ul style="list-style-type: none"> Existing PIA Proposed new PIA Part of property removed from PIA </div>  </div> <p style="text-align: center; margin-top: 10px;">Figure 2 – Land to be removed from PIA at Moore Park Beach</p>			
17	Remove the previously planned Moore Park Wastewater Treatment Plant (WWTP) from Strategic Framework Map SFM-003 (Transport and infrastructure elements).	Yes	Council has no plans to sewer Moore Park Beach and the Strategic Framework Map has been updated accordingly.
18	The current development approval at cnr Branyan Drive and Pennys Lane, Branyan (321.2011.31890.3 and 523.2017.8.1) did not condition the local recreational park	Yes	P.PCL.016 has been relocated to another location at Branyan as shown at Figure 3 below.

ID	Matter Raised	LGIP Amended	Response
	<p>P.PCL.016. The area is only proposed to be developed as a drainage reserve and will no longer be suitable for a local recreational park.</p>		
 <p data-bbox="284 1061 1034 1106">Figure 3 – Proposed Local Recreational Park at Branyan</p>			
19	<p>The current development approval at cnr Branyan Drive and Pennys Lane (321.2011.31890.3 and 523.2017.8.1) proposes to connect sewer to the pump station to the east and not to the north. Therefore, sewer main P.SPGM.22 and P.SPGM.30 are no longer required.</p>	Yes	<p>P.SPGM.22 and P.SPGM.30 have been removed from the PFTIs and SOW model.</p>
20	<p>Design Criteria table on Standard Drawing R3003 is incorrect.</p>	Yes	<p>Design Criteria table has been updated to only show rural access roads on Standard Drawing R3003.</p>
21	<p>The alignment of the Hughes Road extension, intersection (at Watsons Road) and associated pathway have been revised to reflect the latest detailed design. This relates to P.RD.0030.1, P.RD.0030.2, P.FP00056, P.FP.00482 and P.INT.0006.</p>	Yes	<p>The alignment of the Hughes Road Extension and associated intersection and pathway (P.RD.0030.1, P.RD.0030.2, P.FP00056, P.FP.00482 and P.INT.0006) have been updated.</p>
22	<p>The pathway requirements in the Planning Scheme Policy for Development Works should be clarified. This includes the</p>	Yes	<p>Revise the Planning Scheme Policy for Development Works as identified, including –</p>

ID	Matter Raised	LGIP Amended	Response
	<p>following changes to Table SC6.3.3.9.1 and the relevant standard drawings –</p> <ul style="list-style-type: none"> (i) make the desirable path requirement for all non-trunk paths 1.5m wide (one side only), except for commercial access roads which be 2.0m wide (both sides) to cater for additional foot traffic; (ii) revise the standard drawings to ensure path widths and whether the path is required on one or both sides of the road aligns with Table SC6.3.3.9.1; and (iii) clarify that unless identified in the PFTIs or Table SC6.3.3.9.1, a path is only required to be provided on one side of the road. 		<ul style="list-style-type: none"> (i) reduce the width of non-trunk footpaths on Collector Roads from 2.0m to 1.5m (where required); (ii) increase the width of non-trunk footpaths on Commercial Access Roads from 1.5m to 2m; (iii) revise standard drawings R2001 (Sub-Arterial), R2002 (Trunk Collector), R2003 (Collector Street), R2006 (CBD/Commercial Access) and R2007 (Industrial Collector) to clarify pathway requirements and to align with Table SC6.3.3.9.1 of the Planning Scheme Policy for Development Works.

Post Consultation Amendments

The proposed LGIP has been updated to incorporate the changes identified in the responses in Table 1 above. A copy of the proposed LGIP amendment is included at Attachment 1. It is considered that the changes made have not resulted in the proposed LGIP amendment being significantly different to the version released for public consultation.

Second Compliance Check

As per *Statutory guideline 04/14 – Making and amending local planning instruments*, the proposed LGIP must undergo a second compliance check by Council's appointed reviewer. At the time of writing this report Integran had not completed this review, however, given the minor extent of changes it is not expected that this final review will identify any areas of concern or non-compliance.

Associated Person/Organization:

Integran Pty Ltd (Council's consultant and appointed LGIP reviewer); Minister for Infrastructure and Planning; and Department of Infrastructure, Local Government and Planning.

Consultation:

Consultation with Council and internal stakeholders has been undertaken during the preparation of the LGIP. In addition, the Department of Transport and Main Roads has

been consulted where the draft LGIP's transport PFTIs affect State-controlled Roads. The LGIP was on public display from 3 October to 17 November 2017.

Legal Implications:

Pursuant to s 287 of the *Planning Act 2016*, the repealed *Sustainable Planning Act 2009* continues to apply to the making of the LGIP amendment. However, once the LGIP amendment has been made (taken effect), the *Planning Act 2016* applies to the statutory instrument as if it had been made under the *Planning Act*.

The *Planning Act 2016* identifies circumstances where a landowner may be entitled to compensation for an adverse planning change (i.e. a planning change that reduces the value of an interest in premises. Section 30 of the *Planning Act 2016* identifies that compensation is not payable where the change includes, removes or changes infrastructure shown in a planning scheme, or is about matters included in a LGIP. These provisions are generally consistent with those included in s 706 of the repealed *Sustainable Planning Act 2009*.

Policy Implications:

The proposed LGIP amendment includes changes to the cost and timing of some of Council's future trunk infrastructure when compared to the existing PIP.

Financial and Resource Implications:

Council's 2017/18 budget includes appropriate allocation of resources for the LGIP amendment.

Risk Management Implications:

There appear to be no risk management implications.

Communications Strategy:

Communications Team consulted. A Communication Strategy is:

- Required
- Not Required

Attachments:

- [↓ 1](#) UDIA Submission to LGIP

Recommendation:

That pursuant to the repealed *Sustainable Planning Act 2009* and the Statutory Guideline for Making and Amending Local Planning Instruments, Council:-

- (a) respond to submissions to the proposed Local Government Infrastructure Plan (LGIP) amendment as detailed in Table 1 of the report;**
- (b) proceed with the proposed LGIP amendment with changes as detailed in Table 1 of the report;**

- (c) reasonably believes that the changes made to the proposed LGIP amendment do not result in the proposed LGIP amendment being significantly different to the version released for public consultation;**
- (d) update the LGIP checklist in accordance with the statutory guideline for LGIPs to reflect the changes made to the proposed LGIP; and**
- (e) (following the second compliance check and after receiving the completed checklist and written statement from the appointed reviewer), write to the Minister for Infrastructure and Planning seeking approval to adopt the proposed LGIP amendment.**



17 November 2017

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By post/email development@bundaberg.qld.gov.au

Dear Sir/Madam,

Draft Bundaberg Council Local Government Infrastructure Plan

Thank you for the opportunity to provide comment on Bundaberg Regional Council's draft Local Government Infrastructure Plan (LGIP). Council's LGIP is an important element in ascertaining the viability of development projects in Bundaberg Regional Council area and will have significant implications for the industry and the community.

The Urban Development Institute of Australia Queensland (the Institute) strongly supports finalising modern LGIPs across Queensland and we welcome the release of a draft LGIP by Bundaberg Regional Council. The Institute believes that, in principle, detailed infrastructure planning and associated allocation of future funding is critical to providing the industry with greater certainty to enable the provision of diverse and affordable housing for the region. Equally important is the transparency provided by LGIPs regarding local government's intentions for the provision of trunk infrastructure. This assists the industry with development feasibilities and to provide greater assurance to lending institutions, reducing some perceived risk.

Overall the key comments of the Institute on the draft LGIP are:

- Supports that the Council is providing infrastructure planning for the City and supports the draft LGIP
- Concerns regarding the dwelling assumptions and projections that could undermine the timely and efficient provision of infrastructure
- Concern that the boundary of the Priority Infrastructure Area (PIA) does not include some expected growth areas, including for example in the Branyan Identified Growth Area
- Further consultation with industry is recommended on the PIA, dwelling projections and future trunk infrastructure costings.

Urban Development Institute of Australia Queensland Response – Bundaberg Regional Council Draft Local Government Infrastructure Plan

In further detail, the Institute is supportive of the following features of the draft LGIP:

- All five trunk networks are included in the LGIP
- The PIA aims to accommodate 15 years urban growth (from date of LGIP adoption in 2018) considering realistic take-up of development in infill areas as opposed to the lower bounds permitted in the LGIP rules
- A process is underway to achieve alignment between the projections of growth and demand in the asset management plans and Long Term Financial Forecast (LTFF) and the LGIP
- Existing and future trunk infrastructure has been thematically mapped to enable distinction between the two
- The frankness of Council in reporting and recognising the need to improve the detail/reporting within the LTFF to enable simpler 'like-for-like' comparisons in the future
- Council support for waste water and water supply infrastructure with the impact that this has on the budget
- That the charges under Council's Charges Resolution are less than the maximum allowable charges under the SPRP (Adopted Charges). Council's current policy is to maintain the reduced charges to incentivise development
- Rationalisation of park land requirements.

The Institute provides comments, and seeks clarification on several elements of the draft LGIP including:

- Some concerns with the defined area of the PIA. Specifically, the PIA:
 - Is tight, that is not fulsomely providing for expected development over the next 10-15 years
 - Does not include some programmed developments, that hold development approvals and infrastructure agreements
 - Is incorrect or outdated in some development sequencing included in the Development sequencing maps
 - Assumes certain growth outside it on sites that appear to be incapable of closer residential settlement or other intensification
- We note that very little of the Branyan Identified Growth Area has been included in the PIA. We accept that this may be appropriate however point out that the area urgently requires a Structure Plan to coordinate its development
- We note DTMR has been consulted during the preparation of the LGIP in relation to the Kalkie-Ashfield growth area and remainder of transport network, the Institute would like to be made aware of the outcomes of that consultation
- The Institute notes the proposed LGIP indicates a base population in 2016 of 99,390 and 41,634 dwellings whereas the Census indicates a population of 92,897 and 43,909 dwellings. These numbers are also lower than the previous PIP projection. Discrepancies in population and dwelling numbers could result in poorly timed infrastructure or additional costs on housing and the community. If the numbers included in the draft LGIP reflect an allowance for tourism stays this should be identified for readers
- The consultant that developed the LGIP has also performed the review of the document, while this is permitted by state LGIP rules, in principle, it lacks acceptability to industry

Urban Development Institute of Australia Queensland Response – Bundaberg Regional Council Draft Local Government Infrastructure Plan

- Some improvement to the definition of the cost of items of trunk infrastructure and future trunk that are to be delivered beyond 5 years is required. Action should be taken to improve the assessment of the cost of trunk items.

The Institute recommends:

- Industry input be sought regularly, so that the planned densities, land use and yield provisions, infrastructure and development timeframes are more certain and respond to changing market situations
- The PIA boundary be reviewed in consultation with industry to improve its veracity
- The PIA includes existing valid approvals acknowledging action may not be taken on infrastructure until it is confirmed to be commenced
- Council commence structure planning for the Branyan identified growth area
- Council seek an update on population projections from the State government based on the recent census and undertake new population and dwelling projections
- Independent benchmarking and review of the Desired Standards of Service be undertaken to ensure standards are appropriate and optimised.

The Institute supports the efforts of the Council to provide infrastructure planning for the region, the horizon of development provided for and action on water and sewerage provision. The Institute however, has some concerns regarding the dwelling projections and the PIA area. The impact on well planned and affordable housing supply of significant variance can be considerable for the community and industry. The Institute recommends further work should be programmed in consultation with the development industry to ensure the LGIP is cost effective and up to date.

Thank you for the opportunity to review the draft LGIP. If you have any questions relating to this submission, please contact Kirsty Chessher-Brown (kchessher-brown@udiaqld.com.au) on (07) 3229 1589. We would welcome the opportunity to meet with you to discuss our position.

Yours sincerely

Urban Development Institute of Australia Queensland



Marina Vit
Chief Executive Officer



David Newby
Vice President Bundaberg Branch

**Item****12 December 2017****Item Number:**

J3

File Number:

fA60954

Part:

PLANNING

Portfolio:

Planning & Development Services

Subject:

Resolution to designate Flood Hazard Areas

Report Author:

Arron Walker, Strategic Planning Engineer

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our Community - 1.5 Community safety and resilience in disaster events.

Background:

Since October 2015, Council has declared flood hazard areas under section 13 of the Building Regulation 2006. Declaring flood hazard areas via resolution rather than through a planning scheme overlay allows Council to easily make changes to these flood hazard areas and avoids Council having to undergo a lengthy planning scheme amendment process.

It was anticipated that future changes to the flood hazard areas would be required on a semi regular basis due to the completion of flood mitigation works, development within the flood hazard area, and as more up-to-date flood modelling became available. This report is in response to such changes. In particular the flood hazard area requires updating as a result of completion of development works within the flood hazard area.

Development works within the flood hazard area

Three developments have resulted in changes to the flood hazard area. These works have included the construction of new roads, drainage infrastructure and/or earthworks resulting in various changes to ground elevations. Flood models received during the development process have been reviewed and provide the basis for the “as constructed” flood hazard area. The developments include:-

- (a) 4, 6, 8, & 10 Keiran Place (Delany Development) – additional fill added to improve flood immunity of 4 lots (323.2012.34454.1) – it is noted that refinements to flood modelling in this location has also resulted in a minor reduction to the flood hazard area on other lots in the vicinity;
- (b) 19 Atlantis Boulevard, Bargara – older building works not previously included in flood model of area (301.2014.72652.1); and

- (c) Watchbell Street, Innes Park (Brijay Holdings Pty Ltd, Pacific Acres Stage 6, P-0851668-001) – older works not previously included in flood model of area.

The proposed changes to the flood hazard area resulting from these developments are shown in Attachment 1. Council's 'Hazard Evaluation Report – Flood', which includes mapping of the declared flood hazard areas for the Bundaberg Region, has been amended to incorporate the changes shown at Attachment 1. The Hazard Evaluation Report – Flood (December 2017, Revision 4.0) will be tabled at the meeting and made available on Council's website following its adoption. Council's interactive mapping and Flood Planning Control Property Reports will also be updated accordingly.

Associated Person/Organization:

Department of Infrastructure, Local Government and Planning

Consultation:

Consultation with the developer of Keiran Place was undertaken as part of the development process. The owner of 19 Atlantis Boulevard requested a review of the flood hazard area and the proposed changes were discussed one-on-one. The changes proposed for Watchbell Street (Pacific Acres Stage 6) have resulted from an internal review of the mapping in the area. Properties are only being removed from the flood hazard area and as a result no consultation has been undertaken at this stage.

Legal Implications:

The flood hazard area resolution will support Council's planning scheme in ensuring development in flood hazard areas is appropriately managed. The *Planning Act 2016* identifies circumstances where a landowner may be entitled to compensation for a reduced value of interest in land arising from a change to Council's Planning Scheme. However, the Planning Act sets out some limitations on compensation where changes respond to risks associated with natural processes such as flooding.

Policy Implications:

The adoption of Flood Hazard Areas under Section 13 of the Building Regulation 2006 and its reference in the planning scheme to trigger assessment of particular development in flood hazard areas against the Flood Hazard Overlay Code will supersede the current 1/2017 flood hazard area.

Financial and Resource Implications:

Council currently does not charge a fee for any development application required to be submitted for assessment as a result of the flood hazard area.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

Yes

No

Attachments:

[↓](#) 1 Proposed Changed to the Flood Hazard Area

Recommendation:

That effective from 20 December 2017, and under section 13 of the Building Regulation 2006, Council declare:-

- 1. flood hazard areas for the Bundaberg Region as identified in the Flood Hazard Area Maps contained in the Hazard Evaluation Report – Flood (December 2017, Revision 4.0);**
- 2. the defined flood level and maximum flow velocity of water (where available) are the flood levels and velocities for the adopted defined flood events derived from the flood modelling for each catchment of the flood hazard area.**

This resolution replaces flood hazard areas previously declared by Council, including Council's resolution of 16 May 2017 (Item G1).

Attachment 1 – Proposed changes to the Flood Hazard Area

Since the last Flood Hazard Resolution 1/2017, three developments have resulted in changes to the flood hazard area. The following pages compare the current flood hazard area with these proposed changes.

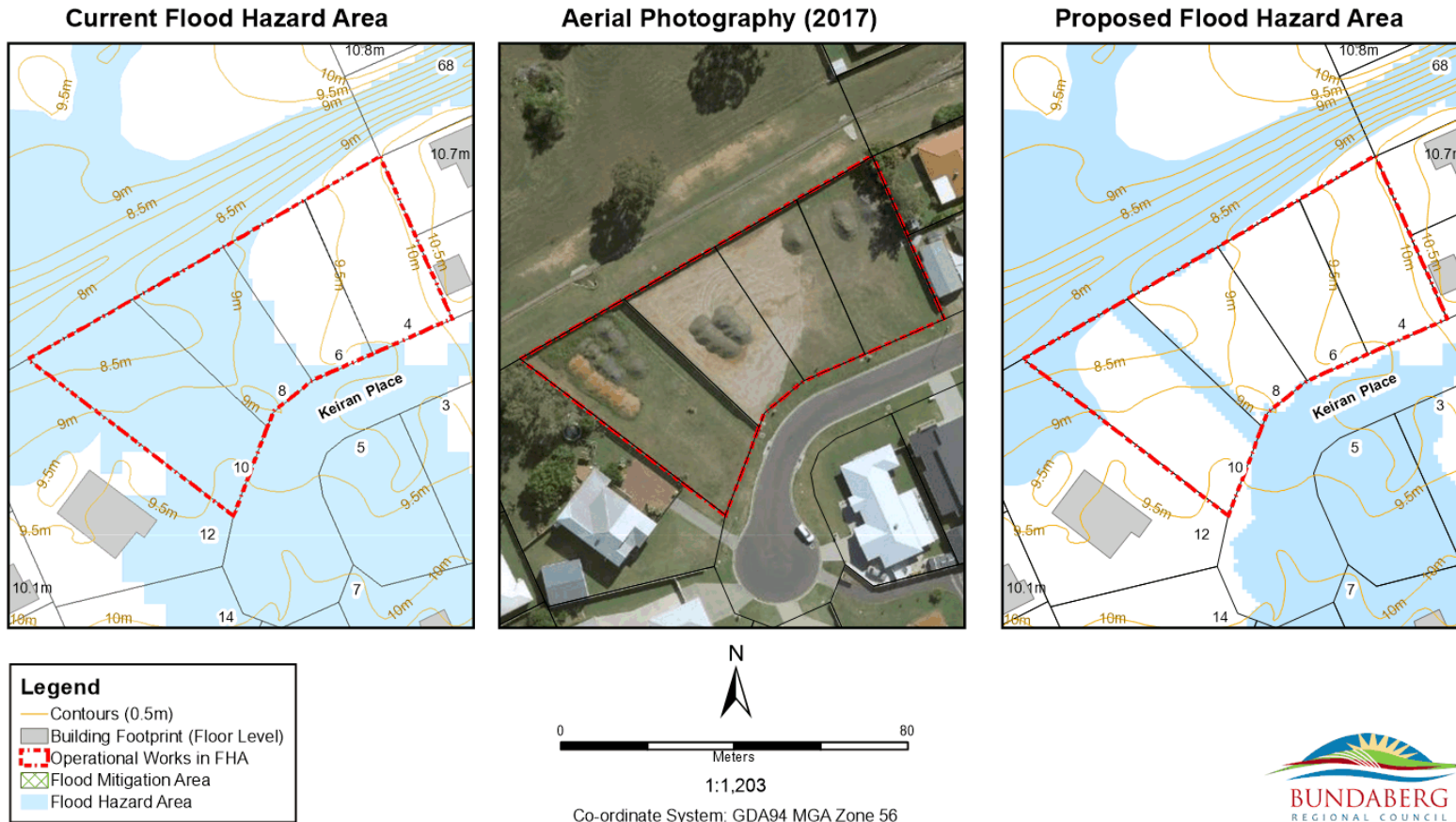
Operational Works Details:

Application Number: 323.2012.34454.1

Development: Residential Subdivision - Keiran Place - additional fill on 4 lots.

Description:

Affects Burnett River DFE and Bundaberg Creek DFE.



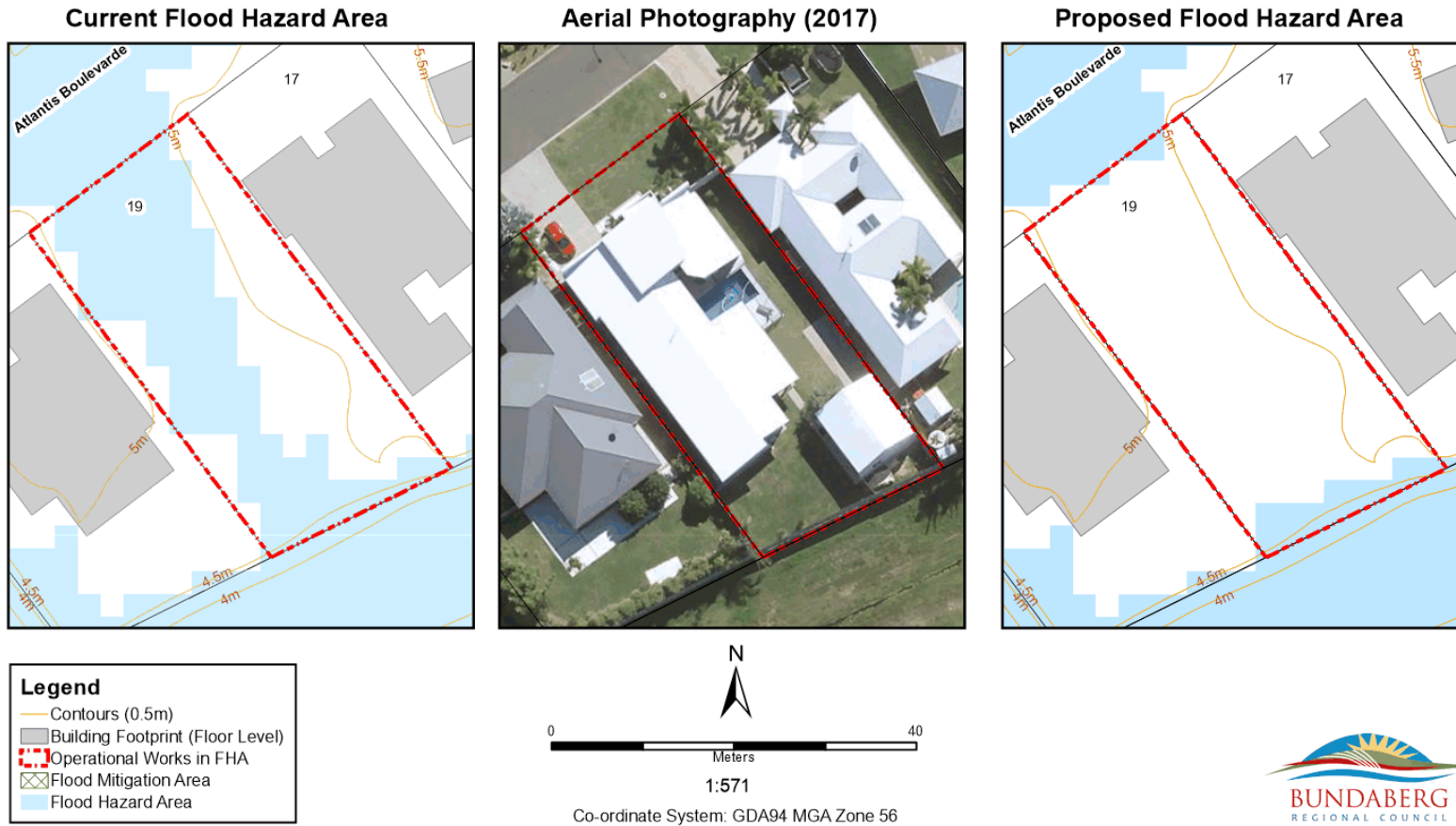
Operational Works Details:

Application Number: 301.2014.72652.1

Development: Building Application - 19 Atlantis Blvd - fill associated with building works.

Description:

Affects local flood only



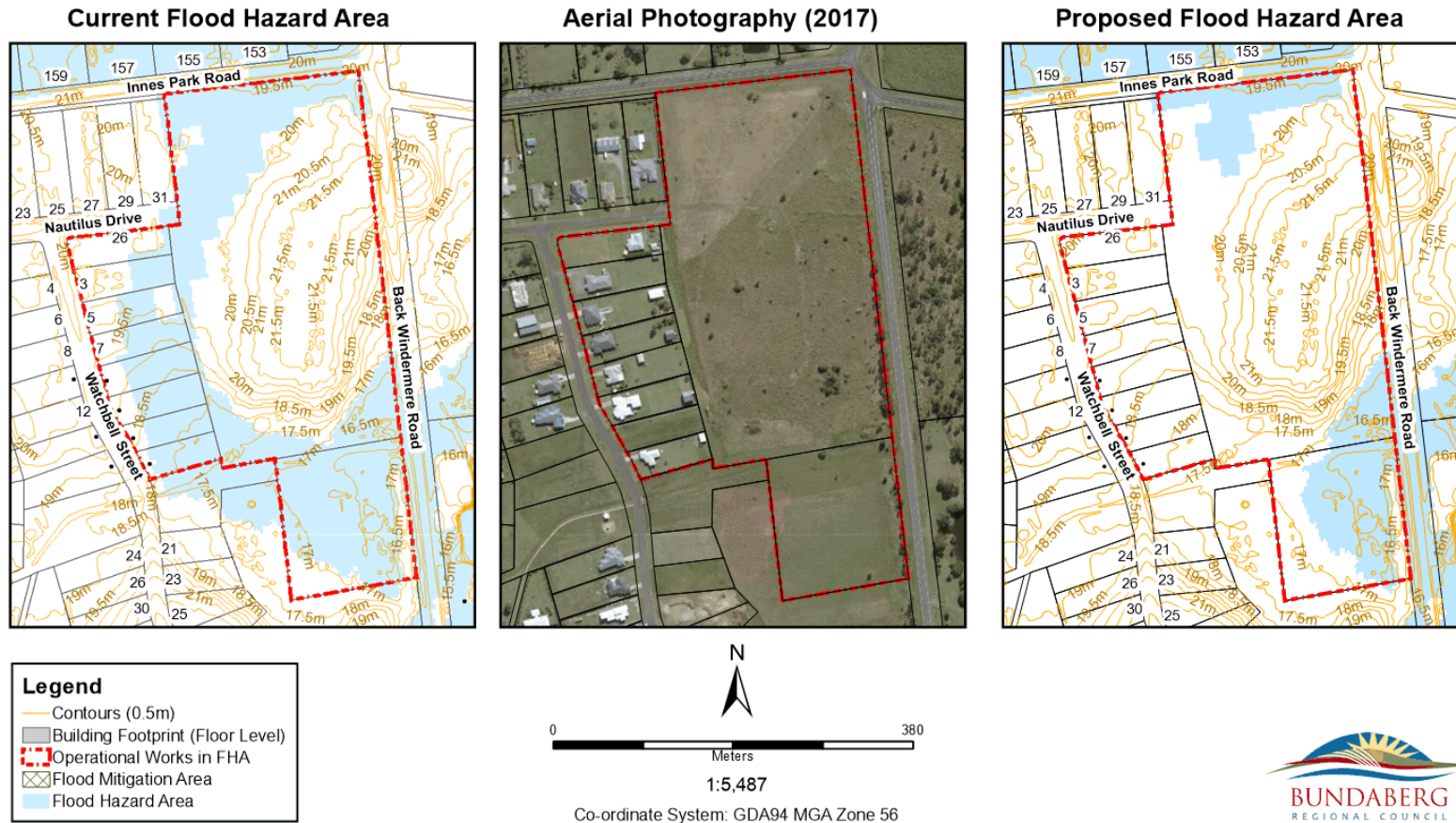
Operational Works Details:

Application Number: P-0851668-001

Development: Residential Subdivision - Pacific Acres Stage 6 - Brijay Holdings Pty Ltd

Description:

Affects local flood only





Item

12 December 2017

Item Number:	File Number:	Part:
K1	321.2017.48344.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

19 Rubyanna Road, Kalkie - Development Permit for Reconfiguring of a Lot (One Lot into Two Lots)

Report Author:

Erin Clark, Senior Planning Officer - Major Projects

Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Governance - 4.4.6 A commonsense approach to planning, coordination and consultation

Summary:

APPLICATION NO	321.2017.48344.1
PROPOSAL	Reconfiguring a Lot for Subdivision (One Lot into Two Lots)
APPLICANT	AR Modolo & AE Modolo
OWNER	GJ Wondrock & BF Wondrock
PROPERTY DESCRIPTION	Lot 1 RP147273
ADDRESS	19 Rubyanna Road, Kalkie
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Rural Zone
OVERLAYS	Flood hazard, Biodiversity, Agricultural land, Acid sulphate soils, Airport and aviation facilities
LEVEL OF ASSESSMENT	Impact
SITE AREA	7.743 ha
CURRENT USE	Dwelling house and cattle grazing
PROPERLY MADE DATE	28 June 2017
STATUS	The 20 business day decision period ended on 9 October 2017
REFERRAL AGENCIES	Nil
NO OF SUBMITTERS	None
PREVIOUS APPROVALS	Nil
SITE INSPECTION CONDUCTED	20 July 2017
LEVEL OF DELEGATION	Level 3

1. INTRODUCTION

1.1 Proposal

The proposed development under consideration is for a one (1) into two (2) lot subdivision, being a Development permit for a Reconfiguring a Lot on Lot 1 on RP147273. The proposal is to create one additional 4,000 m² lot fronting Kirbys Road with a 40 m frontage in close proximity to three other 4,000 m² lots in the subject site's north-western corner. The proposed lot is to be isolated from the adjoining lots on Kirbys Road, surrounded completely by the balance parcel (with a handle of 40 m to the west). A balance parcel of 7.34 ha is proposed to accommodate the existing dwelling and ongoing rural activities (cattle grazing and horse keeping).

The applicant has proposed that the smaller lot be utilised for rural residential purposes. An overhead electricity line exists to the full Kirbys Road frontage. Application to Ergon Energy for overhead supply connection will be made upon approval of proposed Lot 20. At 4,000 m², it is proposed that the site is large enough to provide any future dwelling house on proposed Lot 20 with rainwater tanks of sufficient capacity and an appropriate on-site disposal system.

Background

An approval was granted in July 2016 for a similar development type on the adjoining lot following a Council decision. A review of the strategic aim, zoning and timing for development of similar nature in this locality has been discussed with Councillors, however no decisions or commitments have been made to date.

1.2 Site Description

Lot 1 on RP147273 is located at 19 Rubyanna Road in the locality of Kalkie and used for residential and rural activities of Dwelling house and Animal husbandry (cattle grazing as well as personal horse keeping).

The lot has a frontage of approximately 221 m to Kirbys Road and 285 m to Rubyanna Road and has a fall from the Rubyanna Road frontage of 5.5 m to the rear (west). Rubyanna Creek intersects the lot and follows the southern boundary for an extent of 261 m. This is a MSES Watercourse and includes regulated vegetation.

The site has an area of 7.743 hectares and is currently improved by a single storey brick dwelling house and steel shed located in the south eastern corner fronting Rubyanna Road. The dwelling house is serviced by overhead electricity, telecommunications, and vehicular access to Rubyanna Road's 6m wide bitumen seal via two piped culvert crossovers with headwalls. Existing improvements and service connections present to Rubyanna Road.

2. ASSESSMENT PROVISIONS

2.1. Applicable Planning Scheme, Codes and Policies

The applicable local planning instruments for this application are:

Planning Scheme: Bundaberg Regional Council Planning Scheme 2015

Applicable Codes:

- Kalkie-Ashfield local development area local plan code
- Rural zone

- Acid sulfate soils overlay code
- Agricultural land overlay code
- Flood hazard overlay code
- Landscaping code
- Nuisance code
- Reconfiguring a lot code
- Transport and parking code
- Works, services and infrastructure code

Applicable Planning Scheme Policies:

- Planning scheme policy for development works

2.2 State Planning Instruments

The Bundaberg Regional Council Planning Scheme 2015 has been endorsed to reflect the state planning instruments.

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

Rural zone code

The proposed subdivision is located within the rural zone, however is proposed as rural residential in nature with a lot size (4000m²) equal to the minimum lot size in parts of the rural residential zone. The proposal does not comply with a number of the applicable Performance outcomes of the Rural zone code, including the requirement to limit permanent forms of residential accommodation in the zone (PO3), and provide for and support rural activities and avoid adverse impacts to the ongoing use of the rural land (PO1, PO2 and PO6) particularly given the proposed intensification of sensitive residential uses in conflict with the 'as of right' rural uses.

Moreover, the stipulations for a commensurate (low key) level of infrastructure (PO11) and reduction of an impact on viability of rural lands (PO13 and PO8) cannot be adequately addressed as the proposed development is in conflict with a number of the provisions. Therefore, the purpose and overall outcomes of the code must be considered. These include:

The purpose of the Rural zone code is to:-

- (a) provide for a wide range of rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;*
- (b) provide opportunities for non-rural uses that provide a service to or rely upon access to rural areas;*
- (c) ensure that non-rural uses are compatible with agriculture, the environment and the landscape character of the rural area and do not compromise the long-term use of land for rural uses; and*
- (d) ensure that rural areas are sustainably managed to maintain and enhance the character, visual amenity and ecological sustainability of the rural landscape.*

The purpose of the Rural zone code will be achieved through the following overall outcomes:-

- (a) development provides for a broad range of rural activities as well as more intensive rural activities, provided that adverse environmental and amenity impacts are avoided or appropriately managed;*
- (b) permanent residential accommodation in the zone is generally limited in scale and intensity;*
- (c) where appropriate, complementary visitor accommodation and other non-rural uses that support rural enterprise or rural tourism activities may be established in the zone;*
- (d) development minimises conflicts with existing and future rural uses and activities on the surrounding rural lands and ensures that the productive capacity of rural land is protected for rural uses and associated value adding industries;*
- (e) development provides for the protection of agricultural land classification (ALC) Class A and Class B land for sustainable agricultural use;*
- (f) development maintains the rural and landscape character, scale and amenity of the zone; and*
- (g) development encourages and facilitates the efficient provision and safe operation of physical and social infrastructure.*

When considering these components of the planning scheme, it can be seen that the proposed subdivision cannot comply with the code. The proposal for fragmentation of the lot does not include, support or encourage rural activities, rather introduces the types of uses that are to be limited. Further fragmentation of the agricultural lands does not protect or enhance the sustainable agricultural use, particularly given the applicant's suggested amenity solution is to involve a restriction/ exclusion easement area surrounding the proposed new lot. This proposed solution that is suggested as a condition would further limit the usable agricultural area. Further to this, within the Strategic framework, Economic Development Theme Element 4 (s.3.4.5.1), important rural industry and enterprises are encouraged in the rural landscape (identified in Strategic Framework Map SFM-002), which is not reflected in the proposed development.

Out of sequence development

Performance Outcome 2 (PO2) of the Reconfiguring a lot code requires that proposed development avoids the sporadic or out of sequence creation of lots, along with the efficient delivery of infrastructure.

The proposal to create additional lots in a rural zoned area remote from existing services presents a non-compliance with this code criteria that has not been justified sufficiently by the applicant within the lodged planning report and supporting material.

A discussion is presented by the applicant in their response to Council's information request dated 8 August 2017, that despite the conflict with the Rural zone code and Reconfiguring a lot code (and any potential conflict with other relevant codes), the proposal can be considered for an opportunity for Rural Residential development under section 3.3.4 of the Strategic Framework.

The Specific Outcomes of Element 3 (s.3.3.4.1(c)) of the Strategic Framework within the Bundaberg Region Planning Scheme (Rural residential development) which are referenced, stipulate that rural residential development on land outside of that zoned Rural Residential may only occur under circumstances (i) to (ix), which are discussed below.

While the developer may suggest there is less zoned area for rural residential development in the east of Bundaberg between the Burnett River and Elliott River, this does not demonstrate justified demand, having regards to the needs of the community and the capacity of the existing vacant land supply already allocated in the Rural Residential zone, or approvals already granted (as stated in s.3.3.4.1(c)(i)). It is considered at this time, the needs of the community are suitably addressed through urban growth opportunities elsewhere, and rural residential growth, in areas allocated for such development within the plan area. When considering the planning scheme in its entirety in this regard, the subject land is not identified as a rural residential area on SFM-001, nor has the land been included in the Rural Residential zone. The settlement pattern, identifies significant areas for urban growth and rural residential development across the region in the life of the Planning scheme, providing for housing choice in different locations. Accordingly, the settlement pattern within the Strategic Framework provides for population growth in the area through the expansion of the Urban Area (including a nearby Major Expansion Area), not through unplanned rural residential development. It is also noted that the proposed development does not meet the default minimum lot size for Rural Residential zoned lots outside of a precinct within this scheme which is 2 hectares. The proposed lot sizes are comparable to Rural Residential zoned parcels which can be fully serviced.

Section 3.3.4.1(c)(ii) relates to the location of the proposed rural residential subdivision in close proximity to, readily accessible to or easily serviced by an existing village, settlement or services/ community facilities, such as health, education, shopping, sporting, recreational facilities and public transport. The proposed location of this subdivision is not serviced by public transport and relatively isolated from any of the described services. The closest facility is Kalkie State School which is approximately 2.3 km by road and similarly St Luke's Anglican School approximately 3.5 km. The townships of Burnett Heads and the existing commercial centre on Bargara Road are approximately 8 km and 4.3 km respectively. There is unlikely to be pedestrian movements to these services at this distance and it considered that the proposed development area is not located close to, or can readily access the community facilities and services detailed in this outcome.

The following section 3.3.4.1(c)(iii) requires that development will not fragment ALC Class A and Class B land, and will not constrain or conflict with the existing or future potential use of the surrounding rural lands and economic resource areas.

This matter will be further addressed in a later section of this report, however it is noted that the introduction of a sensitive land use (residential) within an existing rural area, with an irregular lot layout allowing for the new lot to be wholly surrounded by the rural land is not conducive to complying with this requirement. Although, the existing lot size is below the minimum lot size currently, the proposed subdivision will fragment the ALC Class A land.

Within sections 3.3.4.1(c)(iv) and (v) of this outcome, consideration is to be given to the surrounding environment and physical suitability of the land. The proposed development must not give rise to unacceptable levels of land degradation, including erosion, scour and soil salinity and there must be an appropriate address of physical and environmental constraints, natural hazards and landscape character values. Approximately half of the subject site is affected by localised flooding due to the close proximity of Rubyanna Creek. It is acknowledged that it is unlikely that this natural hazard flooding constraint will impact upon the proposed development given there is ample area on the proposed lot to locate necessary services and structures. It is difficult to comment on the likely levels of land degradation such as erosion, scour and soil salinity given limited details on what will result on the resultant lot, nonetheless it is not likely that a lot in the proposed location will cause serious land degradation if the subsequent structures were appropriately sited and the stormwater was effectively managed. In terms of amenity and landscape character however, the proposed subdivision would impact on the landscape of this rural area. Although located relatively close to other rural residential type developments in Kirbys Road, the proposed lot will be visible from Rubyanna Road and be the first visible element in the landscape vista on the corner of Rubyanna Road and Kirbys Road which is raised in elevation.

The requirements of sections 3.3.4.1(c)(vi) and (vii) relate to the access of the proposed lot. It is stated that the rural residential development may only be granted where adequate access can be provided without compromising the safety and efficiency of the network and emergency access is available to avoid isolation of residents. These requirements for adequate and non-flood affected access can be met with small upgrades to Kirbys Road for a culvert, however this locality is flood affected on either emergency evacuation routes to north and south on Rubyanna Road and west along Kirbys Road. Further investigations into the depth of this flood water concluded that during 1 into 100 year weather events, the lot is isolated by water over the road in the vicinity of 0.3 m to 1.2 m in depth at a velocity of approximately 1.0 m to 2.0 m per second. This is not generally considered safe to cross. Although it is noted that the duration of this impact is short term during the event, this is not ideal for the intensification of residential uses.

Similarly related to engineering considerations, s.3.3.4.1(c)(vii) of the outcomes requires that proposed subdivision must have necessary infrastructure available to efficiently and effectively service the development. The applicant has proposed that the development be serviced completely by on-site infrastructure. The proposed lot size is the smallest prescribed minimum lot size for rural residential type development in the region and commensurate with the provision of reticulated water infrastructure.

It is recognised that on-site waste water treatment is generally accepted on development of this nature, however in terms of other infrastructure, this development site is located completely outside of the Priority Infrastructure Area and unable to be efficiently serviced in Council's current plans and inconsistent with assumptions for the future roll-out of such infrastructure.

Of particular importance also is item 3.3.4.1(c)(ix) which requires that consideration must be given to the proposed rural residential development not being located on land that is required or likely to be required for future urban expansion.

The applicant correctly identifies that the subject site is located within the 'Urban Footprint' of the Wide Bay Burnett Regional Plan. Although repealed as policy, due to the content being reflected within Council's contemporary planning scheme, this factor is relevant when considering the prejudicing of this land for a more intensive residential purpose in the future. The irregular lot layout and establishment of the proposed lot is not commensurate with residential use of the site in the medium to long term. The flooding on site is noted by the applicant as a constraint for the future use, however no extensive modelling or proposals have been considered in this regard.

Moreover, Council's Planning Scheme provides significant opportunities for Rural Residential growth in appropriate areas of the Region. The Strategic Framework commentary which provides support for the subdivision of rural land in a limited range of circumstances cannot be interpreted to fully support this development in this location. Notwithstanding this, the meeting of criteria set within the one section (3.3.4) is not the only consideration in assessment of whether rural residential development is appropriate in this location. Rather, it is appropriate for Council to also consider whether the application is, on balance, consistent with the Strategic Framework and other aspects of the planning scheme in its entirety.

Lot layout and site responsive design

Supported by the Overall Outcomes, the Performance Outcome 1 (PO1) of the Reconfiguring a Lot Code requires the proposed lot layout and configuration to be responsive to a number of factors, including the setting of the site within a non-urban context and the adjoining natural environmental values. In addition, PO2 requires the consideration of the impact of the proposed subdivision on adjoining existing lawful rural uses and vice versa, a consideration of the impacts of the existing rural uses on the proposed residential use. The purpose and overall outcomes of the rural zone code also require that the development does not compromise the long term use of the rural zoned land for rural activities and development is to maintain the scale, character and amenity of the zone. The proposed development does not adequately comply with these requirements, given that the continued subdivision of rural land far below the minimum lot size with an irregular pattern (isolated lot with a handle for the neighbouring driveway in the balance area and surrounded by easements) and is not responsive nor considerate of the existing rural area. The proposal will result in additional land within the balance rural lot being further restricted by a proposed exclusion easement to allow for the residential amenity, in conflict with the code requirements. It is referenced by the applicant that a number of lots of this nature and size have been approved in the past in the vicinity of the proposed development, however this is not justification alone for the further fragmentation of the rural land and non-compliance with the required codes.

Despite the applicant representations, it is clear that the proposed development does not meet the stipulated minimum lot size of 100 ha minimum lot size in the Bundaberg Region Planning Scheme. In terms of performance outcome assessment (Reconfiguring of a Lot code), the proposed lot sizes are capable of accommodating the necessary structures, however the proposal also does not comply with PO12 of the code, whereby 'reverse amenity' issues are created affecting continued operation of existing uses. It is evident from a balanced review of the Code that it does not favour subdivision of this type.

Agricultural land

In addition to the proposal not being compliant with the zoning or lot sizes within the planning scheme, the subject parcel is included within the Rural and landscape protection area in the Kalkie-Ashfield local development area local plan. This is for the purpose of providing protection and enhancement of rural landscape, primary production and scenic amenity values, specifically maintaining the short to medium term productive use of agricultural land within the local development area. The proposed subdivision is not compliant with this intent for the local plan by reducing the amount of land available for agricultural purpose, introducing additional interface issues in the short term and degrading the scenic value of the rural landscape with introduction of further residential settlement.

Additionally, the purpose and overall outcomes of the Agricultural land overlay code clearly articulate that land classified with an Agricultural Land Classification (ALC) is to be protected from development that leads to its alienation, fragmentation or diminished productivity. This is achieved by locating appropriate uses, avoiding conflicts between uses and avoiding fragmentation as a result of a reconfiguration of a lot application. The provisions within the Performance Outcomes of the code support and enforce this purpose. It is considered that the proposed development is in conflict with a large proportion of this code (including PO1, PO3 and PO4). A substantial justification for this non-compliance has not been provided, rather a reliance on the existing land area of the subject site to provide reasoning that the land is not currently being used extensively.

The existing good quality rural land will be impacted by the proposed development, which cannot fully demonstrate compliance with the overlay code, including the purpose and overall outcomes, which include:

- (1) *The purpose of the Agricultural land overlay code is to ensure that agricultural land is protected from development that leads to its alienation, fragmentation or diminished productivity.*
- (2) *The purpose of the code will be achieved through the following overall outcome:-*
 - (a) *the ongoing productive use of Agricultural Land Classification (ALC) Class A and Class B land for agricultural purposes is maintained and protected by ensuring that:-*
 - (i) *ALC Class A and Class B land is protected and remains available for productive and sustainable agricultural and rural pursuits, unless:-*
 - A. *there is an overriding need in terms of public benefit; and*
 - B. *there is no alternative site suitable for the particular purpose; and*
 - C. *the impact on productive agricultural land has been avoided and minimised;*
 - (ii) *conflict between farming activities and sensitive land uses is avoided by establishing effective separation distances and buffers;*
 - (iii) *further fragmentation of ALC Class A and Class B land as a result of reconfiguring a lot is avoided; and*

(iv) development avoids adverse impacts on ALC Class A and Class B land from land degradation and stormwater run-off.

The proposed subdivision fragments and alienates agricultural land in conflict with the purpose of the code and overall outcome (2)(a)(iii). The proposal also impacts upon the ongoing use of ALC Class A land by introducing a conflict between farming activities on the surrounding rural balance lot and the sensitive residential use proposed on the new lot and allows for additional stormwater run-off from the introduction of subsequent uses and the associated hardstand. With reference to overall outcome (2)(a)(i), a number of these factors that may allow for the reduction in available ALC Class A and B land, have not been fully demonstrated within the development application, including an overriding need in terms of public benefit. The above sections have discussed that ample alternative sites are available for a rural residential purpose ((a)(i)(B)) and despite the small proportion of the site proposed to be subdivided (5% as presented by the applicant), the introduction of a sensitive use in an irregular lot layout will have an impact on productive agricultural land ((a)(i)(C)). It is acknowledged that it is difficult for a reconfiguring of a lot proposal to meet the requirement for avoiding and minimising impacts within this purpose, however the intent is clear whereby fragmentation is not encouraged. Although not currently used intensively (cattle grazing and horse keeping), the lot is still used for a rural purpose and contributes to the broader rural landscape and scenic amenity.

Among other outcomes, the Strategic Framework seeks to protect rural areas for rural production, natural habitat and landscape protection purposes. While there are specific outcomes about 'good agricultural land' or ALC Class A and B land, outcomes also extend to the protection of rural land more generally (i.e. not just cropping land). Particular reference is made to Strategic Outcomes 3.9.1(a) and (b) relating to the conservation of rural areas to management of land use conflicts. An information request was issued by Council on 26 July 2017 requesting further consideration of these strategic outcomes. It was noted by the applicant on 8 August 2017 in their response to Council's information request that these outcomes should be considered in the context of the minor nature of the proposal. The use of the land or lot size is not the sole indicator of land suitability for agricultural purposes as is presented. The applicant was further requested to provide a comprehensive site specific land suitability report, prepared by a qualified consultant, however this information was not provided, with the applicant similarly citing that the small lot size and scale of development did not warrant the cost. As previously noted, the existing lot size and chosen current use of the lot are not sufficient planning grounds to override the Class A Agricultural land classification of the lot and allow fragmentation of rural land and the associated impacts.

Stormwater and Flood Hazard

Performance outcome four (PO4) of the Works, Services and Infrastructure Code deals with the provision of appropriate infrastructure for a development. Proposed Lot 20 falls in a westward direction with runoff at the downstream boundary of the balance lot to be accommodated by the existing stormwater drainage Easement A on SP291213. To get to the aforementioned easements, proposed Lot 20 will discharge across the balance lot. In this regard it is important that as the flows from the lot increase through the provision of a house, shed, impervious area, that the Lot has a right to discharge through the balance lot.

Accordingly to meet the intent of the performance criteria the applicant would be required to provide a stub type easement at along the southern boundary of proposed Lot 20 and contained in the balance lot (proposed Lot 19).

Approximately half of the parent site is located in the Flood Hazard Area and is subject to localised flooding of up to 11.52 AHD. Proposed Lot 20 was positioned so that a small area on the rear south west corner of the Lot is affected by localised flooding. Meaning a reasonable building area envelope is available above the defined flood level for the proposed lot. Further, the applicant does not intend to fill the subject land. Given the aforementioned the provision of a house and other items within the curtilage will not affect downstream flooding and as such the proposed development does not of itself conflict with any of the performance outcomes noted in the Flood Hazard Overlay Code.

In considering a balanced assessment of the proposed development above, it is therefore evident that some of the engineering issues can be addressed, however the broader non-compliances throughout the remainder of the Planning Scheme do not warrant approval.

Biodiversity overlay

The southern boundary of the subject site is included within a buffer area for a MSES waterway (Rubyan Creek). The proposed development does not trigger an assessment against this code.

Outside Priority Infrastructure Area (PIA)

The proposed development is completely outside the priority infrastructure area and is inconsistent with the assumptions about the type, scale, location or timing of future development in the priority infrastructure plan.

4. REFERRALS

4.1 Internal Referrals

Advice was received from the following internal departments:

Internal department	Referral Comments Received
Development Assessment - Engineering	27 November 2017
Water and Wastewater	22 June 2017

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agency

Not Applicable

5. PUBLIC NOTIFICATION

Pursuant to the *Sustainable Planning Act 2009*, this application was advertised for 15 business days from 17 August 2017 until 8 September 2017. The Applicant submitted documentation on 8 September 2017 advising that public notification had been carried out in accordance with the *Sustainable Planning Act 2009*. Council received no submissions in relation to this development application during this period.

6. DRAFT CONDITIONS

Draft conditions were not issued to the Applicant.

Communication Strategy:

Communications Team consulted. A Communication Strategy is:

- Not required
- Required

Attachments:

- [↓1](#) Site Plan
- [↓2](#) Locality Plan
- [↓3](#) Proposal Plans

Recommendation:

That Development Application 321.2017.48344.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Development Permit for Reconfiguring a Lot (One Lot into Two Lots)

SUBJECT SITE

19 Rubyanna Road, Kalkie, Lot 1 on RP 147273

DECISION

- Refused

1. PRELIMINARY APPROVAL AFFECTING THE PLANNING SCHEME

Not Applicable.

2. SUBMISSIONS

There were no submissions received for the application.

3. CONFLICT WITH A RELEVANT INSTRUMENT AND REASONS FOR THE DECISION DESPITE THE CONFLICT

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

4. REFERRAL AGENCY

Not Applicable

5. REFUSAL DETAILS

Direction to refuse

- The assessment manager was not directed to refuse the application by a concurrence agency

Reasons for Refusal

1. The proposed development is in conflict with the Bundaberg Region Planning Scheme, specifically the:
 - a. Purpose and Overall Outcomes Kalkie-Ashfield local development area local plan including its inclusion within the Rural and landscape protection area;
 - b. Rural Zone Code, including the Purpose and Overall Outcomes and Performance Outcomes PO1, PO2, PO3, PO6, PO8, PO11 and PO13;
 - c. Reconfiguring a Lot Code, including the Purpose, Overall Outcomes and Performance Outcomes PO1, PO2, PO3, PO12, specifically noting the minimising of further fragmentation to Rural zoned land;
 - d. Agricultural land overlay code, including the Purpose, Overall Outcomes and Performance Outcomes PO1, PO3 and PO4;
 - e. Specific Outcomes of Element 3 of the Strategic Framework (i), (iii), (v), (ix);
 - f. Specific Outcomes of Element 4 of the Strategic Framework;
2. The applicant has not demonstrated an overriding need for the proposed development in the location, given the availability of appropriately zoned land elsewhere in the Planning Scheme area.
3. An irregular lot layout allows for an inappropriate interface allowing for a conflict between existing rural use activities and proposed/ resultant adjoining sensitive residential uses (with no mitigation measures suggested).
4. The proposed development is completely outside the priority infrastructure area and is inconsistent with the assumptions about the type, scale, location or timing of future development in the priority infrastructure plan.
5. The development cannot be reasonably conditioned to comply with the Bundaberg Region Planning Scheme 2015 and associated instruments.
6. There are insufficient planning grounds to support the development despite its identified conflicts with the applicable planning instruments.



SITE PLAN - 19 Rubyanna Road, Kalkie - 321.2017.48344.1



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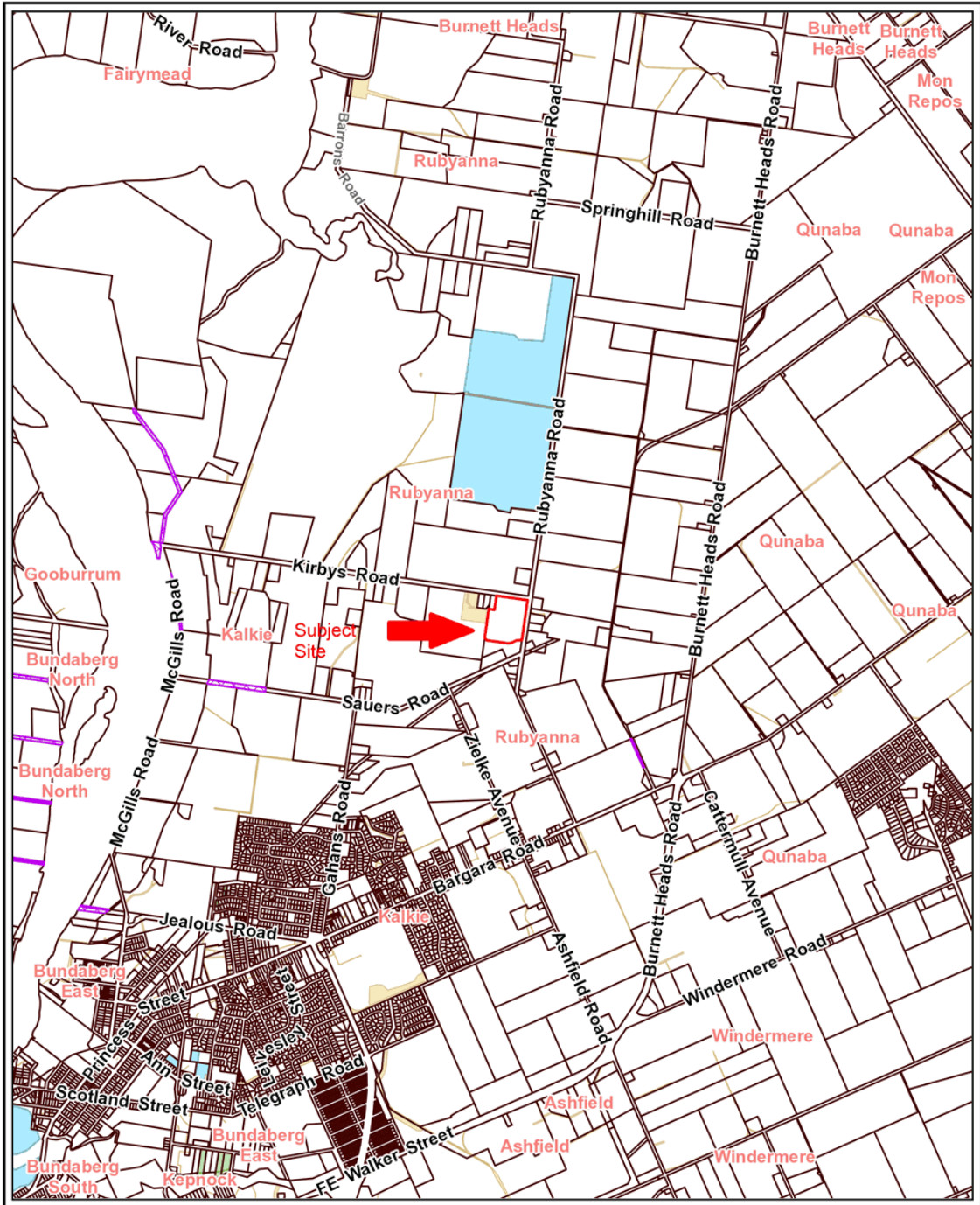
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Author: Erin Clark



LOCALITY PLAN - 19 Rubyanna Road, Kalkie - 321.2017.48344.1



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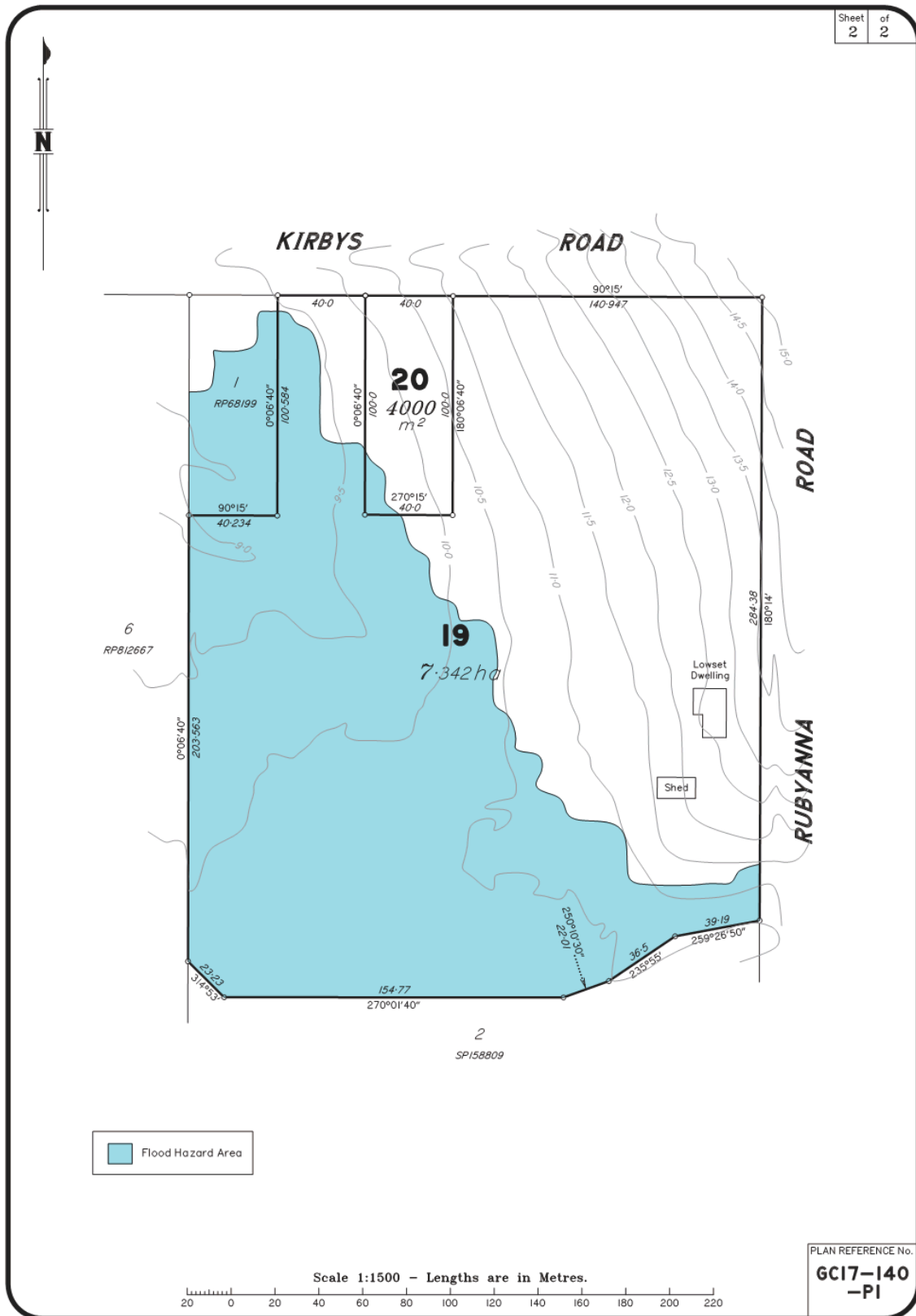
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Author: Erin Clark







Item

12 December 2017

Item Number:	File Number:	Part:
K2	325.2006.50477.2	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

Moore Park Road & Gengers Road, Moore Park Beach - Development Application – Seeking Preliminary Approval for a Material Change of Use overriding the planning scheme for Residential A type development and a Development Permit for Reconfiguring a Lot (2 into 84 lots) in 5 Stages

Report Author:

Richard Jenner, Development Assessment Manager

Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Our Environment - 2.4 Delivery of cost-effective and efficient essential services to support our growing population.

Summary:

APPLICATION NO	325.2006.50477.2
PROPOSAL	Preliminary Approval for a Material Change of Use overriding the planning scheme for Residential A type development and a Development Permit for Reconfiguring a Lot (2 into 84 lots) in 5 Stages.
APPLICANT	Bundaberg Sugar Ltd C/- InsiteSJC Pty Ltd
OWNER	Bundaberg Sugar Ltd
PROPERTY DESCRIPTION	Lot 2 on RP130787, and Lot 20 on RP46710
ADDRESS	Moore Park Road and Gengers Road, Moore Park Beach
PLANNING SCHEME	Gooburru Shire Planning Scheme (now superseded)
ZONING	Rural Zone
OVERLAYS	Not applicable
LEVEL OF ASSESSMENT	Impact
SITE AREA	247.25 hectares (Lot 2) and 8.029 hectares (Lot 20)
CURRENT USE	Vacant rural land
PROPERLY MADE DATE	Change request deemed to be a properly made request on 16 February 2017
STATUS	The 20 business day decision period ended on 17 November 2017

REFERRAL AGENCIES	Department of Infrastructure, Local Government and Planning (former Referral Agency Department of Main Roads; former Referral Agency Department of Natural Resources, Mines and Water; former Referral Agency Environmental Protection Agency; and former Referral Agency Queensland Transport)
NO OF SUBMITTERS	Current change application five (5); past change application (in 2009) eleven (11)
PREVIOUS APPROVALS	Not applicable
SITE INSPECTION CONDUCTED	Multiple site inspections during period from 2006 - 2017
LEVEL OF DELEGATION	Level 3

1. INTRODUCTION

1.1 *Background*

By way of background, this Material Change of Use and Reconfiguring a Lot application was originally lodged for assessment to the (then) Burnett Shire Council on 29 March 2006 under the provisions of the Transitional Planning Scheme for the former Gooburrum Shire (now superseded). At that time, the proposal aimed to subdivide the subject land into 514 lots. A formal change to this development application was requested on 13 December 2007, however, the application did not progress to determination and was held in abeyance. A further change to this 'changed' development application was requested on 20 January 2009 and again the application did not progress to determination and has been held in abeyance. During this period, in December 2009, a related development application was also submitted for a private Sewerage Treatment Plant (DA no. 325.2009.27562.1) to service the proposed development. This application was withdrawn in June 2012. As the base 2006 application has not been withdrawn or determined, the application can be taken to be current. This latest request, which was submitted to Council on 14 February 2017, represents a further request to change a development application prior to the application being determined.

Section 802 of the *Sustainable Planning Act 2009* (SPA) states that a development application made under the repealed *Integrated Planning Act 1997* (IPA) but not decided prior to commencement of SPA continues to be assessed under IPA as if SPA had not commenced. The *Planning Act 2016* at Section 287(2) now details the same approach in respect to repealed SPA.

1.2 *Proposal*

The development proposal before Council for consideration is an eighty four (84) lot subdivision comprised of seven (7) residential lots along Gengers Road, seventy five (75) residential lots accessed from Moore Park Road, a 8.029ha area in Lot 20 on RP46710, which is proposed to be dedicated to Council or the Crown as 'Conservation Wetland Area', and a balance 223.9ha lot (Lot 101) proposed to remain in the applicant's ownership. Recent proposal plans also identify the creation of proposed Lot 100 (8.21ha in area) which separates both areas of residential development and incorporates a low drainage area.

The material change of use component of the proposal seeks a Preliminary Approval overriding the Planning Scheme seeking endorsement for Residential A development (Residential A references the low density residential zoning of the former Gooburrum Shire Planning Scheme).

The reconfiguring a lot component of the application seeks a development permit for the subdivision of the land into 82 lots and 2 balance lots in 5 stages. Proposed residential lots have land areas between 1259m² and 2579m² in land area to cater for onsite waste water treatment and disposal.

1.3 Site Description

Lot 2 on RP130787 and Lot 20 on RP46710 comprise a land area of 255.28 hectares located at the eastern extent of Moore Park Beach with constructed road frontage to both Moore Park Road (780m) and Gengers Road (330m). The land in this area is characterised by a coastal boundary along the northern and north eastern extent of the subject land, with large areas of wetland and estuarine water courses across the site. The land is generally low lying and is heavily vegetated. Due to the topography and natural features of the site, only a 15.0 hectare (approx.) area at the western edge of Lot 2 on RP130787 has sufficient elevation to be considered suitable for residential development. Due to the site characteristics the land remains in an undeveloped state and is not utilised for agriculture or any other active land use activity.

Surrounding land uses include residential uses to the north west of the subject land at the commencement of the urban boundary of the community of Moore Park Beach and rural uses to the south and south west, as the land transitions away from the influences of coastal processes (wetlands, creeks etc.). Land to the east and south east of the site remains in an undeveloped natural state comprising wetlands, creek systems and beach areas.

2. ASSESSMENT PROVISIONS

2.1. Act, Applicable Planning Scheme, Codes and Policies

2.1.1 Integrated Planning Act 1997 (IPA)

As discussed earlier in this report, Section 802 of the SPA states that a development application made under repealed IPA but not decided prior to commencement of SPA continues to be assessed under IPA as if SPA had not commenced. This transitional position is reinforced in the Planning Act 2016 at Section 287(2) detailing the same approach in respect to repealed SPA.

Section 3.5.6 of IPA permits (in certain circumstances) the assessment manager to give weight to later codes, planning instruments, laws and policies, when assessing the development application. Due to the age of this particular application (originally lodged in 2006) there is a number of 'later' planning instruments which should be considered in association with this assessment. Relevant local planning instruments include:

- Superseded Transitional Planning Scheme for the former Gooburrum Shire (Burnett Northern area);
- The Moore Park Development Control Plan (DCP);
- The Burnett Shire Land Use Strategic Plan;
- The Burnett Shire Planning Scheme 2006; and

- The Bundaberg Regional Council Planning Scheme 2015.

Although, the documents listed above each represent relevant local planning instruments, the Burnett Shire Planning Scheme 2006 is not reviewed in detail in this report as the content of this now superseded document is not reflective of the Council's current policy position and is not considered relevant to the determination of the application.

2.1.2 The applicable local planning instruments for this application are:

Planning Scheme and other relevant planning instruments:

- Superseded Transitional Planning Scheme for the former Gooburrum Shire (Burnett Northern area) (1981);
- The Moore Park Development Control Plan (DCP)(1992);
- The Burnett Shire Land Use Strategic Plan (1997).

The application is made under the now Superseded Transitional Planning Scheme for the former Gooburrum Shire (Burnett Northern area). Applicable planning documents for consideration in assessment of the proposal include, the Transitional Planning Scheme, the Burnett Shire Strategic Land Use Plan, and the Moore Park Development Control Plan. Of these planning documents, an elevated regard must be given to the commentary contained within Council's 1997 Strategic Land Use Plan. The 1997 Strategic Plan provides the most contemporary planning commentary on the anticipated development intent for the Moore Park locality, noting the Transitional Planning Scheme was originally gazetted in 1981 and the Moore Park Development Control Plan was gazetted in 1992.

2.1.2.1 Superseded Transitional Planning Scheme for the former Gooburrum Shire (Burnett Northern area) (1981)

The subject land is located in the Rural B zone of the Transitional Planning Scheme. The Council's Subdivision of Land Provisions for the former Gooburrum Shire (Burnett Northern area) prescribes minimum lot sizes of 60ha for land in the Rural B zone and 700m² for land in the Residential A zone. The proposal is in conflict with both the current zoning and subdivision of land provision requirements, however, it is accepted that the Moore Park DCP provides the more contemporary land use policy position in this locality.

2.1.2.2 Moore Park Development Control Plan

It is identified that the western section of Lot 2 on RP130787 (which covers the proposed residential development footprint of this proposal) is located within Precinct 1 (township), 2 (lagoon residential) and 4 (service and light industries) of Council's (1992) Moore Park (DCP) and finds some favour for residential development activities, such as those presently proposed.

Residential development in both Precinct 1 and 2 nominates a development density of 33 ep/ha (303m² per ep), which equates to a minimum allotment area of 970m² to accommodate a three (3) bedroom house (at 3.2ep).

All lots in the proposed development are in excess of this minimum lot size with the smallest proposed lot being 1259m².

2.1.2.3 The Burnett Shire Land Use Strategic Plan (1997)

Of the local planning instruments in place at the time the application was submitted to Council (ie: 2006) the Burnett Shire Land Use Strategic Plan provided the most contemporary planning commentary on the anticipated development intent for the Moore Park locality, noting the Transitional Planning Scheme was originally gazetted in 1981 and the Moore Park Development Control Plan was gazetted in 1992. The Plan identifies that a large proportion of the subject land (Lot 2 on RP130787) is located in the Rural Protected and Rural General designations, with balance areas located within the Environmental Protection designation. Lot 20 on RP on RP46710 is located wholly within the Environmental Protection designation. These designations remove the suggested favour for urban development conveyed within the urban precincts of the 1992 DCP.

It is relevant to reflect on the scale of the original proposal submitted to Council in 2006 (514 lots) and that of the current proposal (84 lots). The corresponding reduction in scale, along with lot design changes (eg: increase in lots sizes) has in part been in response to the environmental constraints which exist over the site and assisted in reducing the level of conflict with key parts of the Strategic Plan. Similarly, changes in infrastructure servicing capability, supported by developer upgrades, have assisted in bringing the proposal into closer alignment with the stated Aims of the Strategic Plan.

The Strategic Plan introduces 5 basic 'Aims' to guide growth and development of the Region in a sustainable way. In brief terms, the Plan directs urban expansion to occur in areas of the Shire where existing and planned urban infrastructure can be utilised to service the proposed development. The original proposal was not responsive to this requirement with limited infrastructure servicing capability for a large scale urban development. The current proposal is benefited by improvements in infrastructure servicing to the township (noting some water service upgrades will be required) and incorporate larger allotments with land areas which can better deal with onsite waste water treatment.

The Plan also aimed to consolidate urban development within the Moore Park township, however, the original proposal represented a 44% increase in the urban footprint of the town and extended 2.8 kilometres to the south east. The current proposal is a more modest increase in the urban footprint of Moore Park Beach, on land at the entry to the community and well serviced by major road infrastructure.

The 15.0 ha (approx) area representing the development footprint of this 82 lot residential development, has not previously been utilised for agricultural activity and is presently vegetated to an extent that would make any form of agricultural activity challenging.

The Strategic Plan aims to protect and preserve productive rural land. In the present case the utilisation of this part of Lot 2 for urban purposes is unlikely to constrain nearby rural land as no active rural activity is being undertaken within proximity to the site.

To reduce the potential for land use conflict the subdivision layout also uses a road reserve to provide a buffer to the adjoining rural zoned land.

A further aim of the Strategic Plan is to promote ecologically sustainable development by protecting biological diversity and maintaining essential ecological processes on which the community relies. It is acknowledged by assessing Officers, and the Applicant, that the subject land contains high value environmental areas. The current proposal attempts to be responsive to these environmental features by promoting a development footprint that utilises a relatively small portion of the balance area, separated from water course and wetland areas.

2.1.2.4 Bundaberg Regional Council Planning Scheme 2015

Applicable Codes:

- Low density residential zone
- Rural zone
- Acid sulfate soils overlay code
- Agricultural land overlay code
- Biodiversity areas overlay code
- Bushfire hazard overlay code
- Coastal protection overlay code
- Flood hazard overlay code
- Steep land (slopes >15%) overlay code
- Rural uses code
- Reconfiguring a lot code
- Transport and parking code
- Works, services and infrastructure code

Applicable Planning Scheme Policies:

- Planning scheme policy for development works

Lot 2 on RP130787 and Lot 20 on RP46710 are located within the Rural zone of the Council's current Planning Scheme, which somewhat reflects the earlier rural designation or zonings of the Transitional Planning Scheme, 1997 Strategic Plan and the Burnett Shire Planning Scheme 2006. A relevant feature of the Council's current Planning Scheme is the introduction of Planning Scheme Overlays which identify a variety of environmental features or land characteristics, including those describing Matters of State Environmental Significance (MSES), and provides corresponding assessment criteria.

2.2 State Planning Instruments

At the time the development application was submitted to Council for assessment the following State Planning Instruments were applicable to the assessment of the proposal.

State Planning Policy 1/92 Development and the Conservation of Agricultural Land.

The commentary contained within State Planning Policy 1/92 Development and Conservation of Agricultural Land is reflected in Council's Land Use Strategic Plan. As part of the subject allotments are included in the Rural Protected designation of the Plan, the land is considered to be Good Quality Agricultural Land (GQAL) for the purposes of the State Planning Policy. Local Authorities are required to have due regard to the Policy when carrying out their planning functions. Although the Policy recognises there will continue to be a need to build on previously undeveloped land, the overarching position of the Policy is that the best and most versatile farming land has a special importance and should not be consumed for residential purposes unless there is an overriding need for the development in terms of public benefit and no other site is suitable for the particular purpose.

When considering the mechanisms for determining an overriding need or public benefit for a development Council is required to satisfy itself that the overall social, economic and environmental benefits of a proposal outweigh any detrimental impact on the natural values of the site. The subject land is not currently (and to Council's knowledge not previously been) utilized for agricultural activity and is constrained in large part by the coastal processes occurring in most of the site. Although the broader locality is engaged in active agricultural activity these uses commence in earnest to the south and west of the subject land. The subject land is considered to be well suited to urban development noting its proximity to the urban boundary of Moore Park Beach and it is the view of assessing officers that the proposal as a whole is not in conflict with the intent of State Planning Policy 1/92 *'Development and the Conservation of Agricultural Land*.

State Planning Policy (SPP) 2/02 Planning and Managing Development involving Acid Sulfate Soils.

The commentary contained within the SPP is reflected in the Council's current Planning Scheme and the State Agency Referral condition imposed on the development by the DNRM. The management of acid sulfate soils will be guided by a management plan to be put in place whilst development works are undertaken. The proposal is not considered to be in conflict with the intent of State Planning Policy (SPP) 2/02 Planning and Managing Development involving Acid Sulfate Soils.

State Planning Policy (SPP) 1/03 Mitigating the Adverse Impacts of Flood, Bushfire, and Landslide.

The commentary contained within the SPP is reflected in the Council's current Planning Scheme.

As detailed in Section 3 of this report (below) the impacts of flood, bushfire and landslide on the development are relevant considerations in the assessment of this proposal. The intent of the SPP 1/03 is to not expose residential populations to flood, bushfire and landslide hazards. The Applicant has adequately demonstrated that through the filling of land and removal of vegetation that the completed development will not increase risks to persons or property occupying lots in the new development.

The proposal is not considered to be in conflict with the intent of State Planning Policy (SPP) 1/03 Mitigating the Adverse Impacts of Flood, Bushfire, and Landslide

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

Preliminary Approval component of the application – assessment requirements s3.5.5A of IPA

Section 3.5.5A of IPA requires the assessment manager to consider (amongst other things) the effect of the proposed planning scheme variations on the rights of submitters and the consistency of the proposed variations with other parts of the Planning Scheme. In the present case, the Applicant has used the Material Change of Use (Preliminary Approval overriding the Planning Scheme) component of the application as an enabling assessment mechanism whereby Residential A development may be supported over Rural B zoned land. This is a different approach to the more contemporary use of this application type where changes are regularly proposed to tables of assessment or new codes are introduced (for example). As the development application has been through public notification members of the public have had opportunity to formally comment of this part of the application.

The planning provisions relating to the Residential A zone are not proposed to be varied from those within the Transitional Planning Scheme, however, relate to a planning instrument that has now been superseded for the past 11 years. It is the view of assessing officers that it is still appropriate to approve the material change of use so that created lots attain residential use rights. In deciding the preliminary approval request, Section 3.5.14A(b) permits the Assessment Manager to approve different variations to those originally sought. Utilising the Residential A zone provisions of a long superseded document would appear to be a redundant exercise as opportunity exists for Council to utilise the contemporary and relevant provisions of the Council's current Planning Scheme (Bundaberg Regional Council Planning Scheme 2015). In this regard, it is recommended that the material change of use (preliminary approval) component of the application seek to utilise the table of assessment for the Low Density Residential Zone only. Planning Scheme Overlays of the current Planning Scheme would not apply to the development approval given that the matters covered by those overlays have been considered as part of this application. Their retention would trigger further development applications for development already considered, and hence the removal of overlays is recommended.

Non-rural use in a rural zone

The applicable local planning instruments for this development are listed in Section 2 of this report. The subject land is identified as being in a rural designation in the Transitional Planning Scheme, the 1997 Land Use Strategic Plan, and the Bundaberg Regional Council Planning Scheme 2015, with varying subdivision minimums ranging from 60ha to 100ha. As discussed above, the 1992 Moore Park DCP designated the land for a mix of urban and industrial purposes. To support the planning argument, the Applicant over time has naturally focused on the past DCP support for urban development, but has also drawn on the features of the site which make it demonstrably suitable for urban development today.

When deciding a development application to which a Transitional Planning Scheme applies Section 6.1.30 of the *Integrated Planning Act 1997*, provides that Council must refuse the application if there are not sufficient planning grounds to approve the development despite the inconsistency (Section 4.4(5A) of the repealed *Local Government (Planning & Environment) Act*). In the present case there are multiple factors which help persuade assessing Officers that sufficient planning grounds exist to support the development (despite any inconsistency with Planning Policy). Including:

- a) Despite the rural designation placed over the land by past and current planning instruments, the land has clear environmental constraints which make large areas unsuitable for both rural and residential purposes.
- b) The land is not used for agricultural activity due to its site constraints and has not historically been utilised for a rural purpose. Active agricultural activities within the locality commence 300m - 400m to the south and west of the subject land, where coastal and environmental influences are not as acute.
- c) The proposed residential development represents a minor loss of rural designated land, being 15.0ha (approx.) or 6% of the area of Lot 2 on RP130787 (247.25ha).
- d) The land is well situated to support its development for urban purposes, sitting at the entry to the Moore Park Beach township, adjoining the urban boundary of the existing town, in close proximity to commercial and social services, with road frontage to both Moore Park Road and Gengers Road.
- e) The proposal has been subject to review by multiple State Referral Agencies, who have not objected to the land being utilised for an urban purpose.
- f) The site is able to be connected to urban services (water, road and stormwater, onsite sewer) subject to conditions and upgrades.
- g) This residential subdivision represents the first of its type in Moore Park Beach for the past 9-10 years and adds a new residential development product to current residential land stocks.
- h) Support for the development and the future housing stock and associated residential population it provides will provide social and economic benefits to the Moore Park Beach community.

Lot size and configuration

The proposed development aims to create 82 residential allotments varying in land size between 1,259 m² and 2,579 m² in area. The subdivision of land provisions within the Transitional Planning Scheme prescribed a minimum allotment area of 700 m² for Residential A zoned land (800 m² if a corner lot). Noting the geology of Moore Park Beach and the reliance of urban development on onsite waste water treatment and disposal, contemporary planning policy has over time (since mid 2006) prescribed a minimum lot size of 1,500 m² for unsewered low density residential development. 63% (52) of the lots in the development are below this minimum size, however, these lots are on average between 1,300 m² and 1,500 m² in area.

To support the proposed size and configuration of lots in the development, the proposal has been supported by a Waste Water Treatment and Disposal report prepared by the Applicants consulting engineers. This Report concludes that proposed land areas in the development are of sufficient proportions to cater for waste water disposal in a sustainable and lawful manner.

It is the view of assessing Officers that sufficient regard has been given to the infrastructure servicing constraints of the site and that proposed land areas of new lots will be adequate to cater for waste water disposal. Although not compliant with the lot sizes preferred by contemporary Planning Policy they are significantly larger (mostly 100% larger) than those detailed in the Transitional Planning Scheme against which the assessment is being undertaken.

Planning Scheme Overlays

As discussed elsewhere in this report, the subject land is well characterised as land (two 2 lots) containing large areas of sensitive coastal environment/s. These features are also reflected within the Overlays of the Council's current Planning Scheme 2015, but were not as directly referenced within the Transitional Planning Policies in place at the time the application was lodged in 2006. Instead, under Transitional Planning Schemes a larger reliance was placed on State Referral Agencies to provide input on environmental/conservation matters under various pieces of State Legislation. In 2017 the following Overlays are suggested to be applicable to the land:

- Acid sulfate soils overlay code
- Agricultural land overlay code
- Biodiversity areas overlay code (Matters of State Environmental Significance (MSES) – Watercourse buffer area, wetland buffer area, wildlife habitat area, regulated vegetation area.
- Bushfire hazard overlay code (Medium intensity)
- Coastal protection overlay code (within Coastal Management District, Erosion Prone Area, within Sea Turtle Sensitivity Area)
- Flood hazard overlay code (Riverine defined flood event, non-urban creeks overland flow, stormtide inundation)
- Steep land (slopes >15%) overlay code

Biodiversity Areas Overlay – under the Council's current Planning Scheme reconfiguring a lot within an area identified as being within a MSES area or buffer requires assessment by Council. Despite the balance land containing numerous biodiversity features, in consideration of the proposed development footprint, it is the seven (7) lots fronting Gengers Road and a very small portion of land in the southern area of the site that is located within a MSES Wetland buffer area. Water course buffer areas or wildlife habitat areas are not impacted by the development. Looking at the Biodiversity areas overlay code in the Planning Scheme (as it considers development adjacent to a wetland), the acceptable outcome of the code directs that development involving high impact earthworks and vegetation clearing within the wetland buffer does not occur.

As the development involves both vegetation clearing and an extent of earthworks in the buffer area, there is a conflict with this part of the Code. Officers concerns regarding this conflict are lessened when we consider the broader context of the assessment. This application has been most recently referred to State Referral Agencies responsible for administering the policies relating to MSES and associated legislation.

Both the Department of Environment and Heritage Protection (DEHP) and Department of Natural Resources and Mines (DNRM) have provided conditional support to the development, including for the removal of vegetation and filling of land in the wetland buffer area.

Coastal Protection Overlay - under the Council's current Planning Scheme reconfiguring a lot within an area identified as being within a Coastal Management District (CMD) or erosion prone area requires assessment by Council. The Coastal Protection Overlay Code aims to keep these areas 'development free' except in limited circumstances. Regularly, land within these coastal areas is required to be dedicated to the State Government for public use (and environmental protection), however, the State Referral agencies have not directed land surrender in this current example (possibly due to the lodgment date of the original application). In response to the existence of the erosion prone area boundary, the Applicant has modified the lot layout to minimise any incursion into this area. As a result only 14 of the 82 residential lots are impacted (to varying extents) by the erosion prone area boundary along with a small section of new road. These areas are proposed to be filled to provide sufficient building areas for new dwellings. Again both DEHP and DNRM acting as State Referral Agencies have reviewed the proposal and provided conditional support to the creation of new lots partly or wholly impacted by the CMD and erosion prone area boundary.

Hazard Overlays (Flood, Bushfire, Steep Land) - under the Council's current Planning Scheme reconfiguring a lot within an area identified as being within a flood hazard area, bushfire hazard area, or on land containing steep land, requires assessment by Council. The land is impacted by riverine flooding, non-urban creeks overland flow, and storm tide inundation. The development footprint has been designed to be clear of any areas of riverine flooding, however, does intersect with areas of stormtide inundation (along dune swales). A development response to this flood constraint is discussed in the following sections of this report.

In terms of bushfire hazard the entire development footprint is identified as being within a medium bushfire area. With the removal of vegetation in association with the development works and noting the location of road reserve areas (which provide separation between some new lots and surrounding land) it is anticipated that this risk or hazard will be minimised. To ensure compliance for lots not having a road separation to areas of bushfire hazard, a condition of approval is recommended that will require that a 6.0m wide fire maintenance trail to be provided at the rear and side boundaries (where applicable) of proposed lots 1-8, lots 31-35 and lot 39, with an easement in favour of Council and QFRS. The ongoing maintenance of the 6.0m wide fire maintenance trail, will be the responsibility of the adjoining landowner (land included in proposed lot 100). These provisions are consistent with the requirements of the Burnett Shire Planning Scheme 2006.

Although identified as containing steep land in Council's mapping, these areas of the site are largely external to the development footprint and correspond to the edges of dune swales or watercourse/drainage areas.

Commonwealth Environmental Protection & Biodiversity Conservation Act (EPBCA)

In addition to Local and State Government assessment process (over the life of the project) the Applicant has also been subject to a Federal Government assessment process as it relates to the protection of endangered or vulnerable fauna species. In 2013, the Applicants consultants undertook investigations to ascertain site conditions for habitat for fauna species listed under the EPBCA. The land where the Gengers Road lots are proposed was identified as having 'supplementary' habitat for the Coxens Fig Parrot (CFG) and 'marginal' habitat for the Black Breasted Button Quail (BBBQ) (the quality of habitat from high to low was 'core', 'supplementary' and 'marginal').

The Commonwealth Department of Sustainability, Environment, Water, Population and Communities (as it was then known) undertook an assessment of the consultants site survey and report given the EPBCA status of these birds and its written conclusion was that the nature and magnitude of any impacts from the development were acceptable. As a result it is open to conclude that the proposed development footprint, generally, and Gengers Road lot footprint, specifically, does not introduce unacceptable impacts to the habitat of either birds (CFG and BBBQ). The above discussion is relevant to the assessment as it was a feature of concerns raised in some public submissions received in objection to the proposal, particularly in regard to proposed lots fronting Gengers Road.

Dedication of land for environmental/community purposes

A consistent element of the development proposal from its initial lodgement in 2006, was the Applicants proposed dedication of Lot 20 on RP46710 to the State Government as an environmental reserve. Lot 20 is a 8.029 ha area of land adjoining the foreshore to the north of the main development site. The land is significantly impacted by coastal processes (CMD and erosion prone area) and contains a tidal creek system and mangrove areas.

The land is also significantly impacted by riverine flooding and stormtide inundation and has no connection to adjoining reserve land (aside from foreshore areas) and does not have a constructed access point (for site access for maintenance/management). In the most recent proposal the Applicant also proposes to dedicate a further 8.21 ha area to the State Government in proposed Lot 100, which represents the low lying wetland area between Gengers Road and the main development site.

Assessing Officers acknowledge that both these areas contain high environmental and conservation values, which would be broadly benefited by their ongoing protection as environmental reserve areas. The balancing argument for Council to consider is whether ongoing maintenance and management obligations flow to the Council over time.

In consideration of Lot 100 and 101 it is noted that no State Government Agency required the dedication of land and that the fragmented nature of the land and the Applicants unwillingness to dedicate Lot 101 it is recommended that Lot 100 and 101 be combined to form a single (1) Lot and retained in private ownership. In terms of

ongoing protection of the environmental features of the land (Lot 100 and 101), due to site constraints, most areas of the land are broadly unsuitable for any form of development. This factor, coupled with active State Government controls aimed at coastal and environmental protection should ensure the land is retained in its natural state for the future.

In consideration of the proposed dedication of Lot 20 on RP46710, Council Officers agree that, despite Council's future management obligations, this area does have a prospect of linking to the foreshore reserve areas and providing a community benefit as an environmental and conservation area. It is noted that no offsets against trunk infrastructure apply for the dedication of land for environmental purposes.

Acid sulfate soils

An advice note will specify that an acid sulfate soils management plan will be required to be submitted as part of an application for operational works. The concern relating to the potential for site works to uncover acid sulfate soils is further emphasised by a DEHP concurrence agency condition.

Water

The Works, Services and Infrastructure Code PO4 of the Planning Scheme requires an Applicant to provide infrastructure that meets the current and future needs of the development and integrates with the and efficiently extends the existing network. At this juncture, the current network needs to be upgraded with a variable speed booster pump setup which decommissions the high level potable water storage reservoir at Moore Park. It is noted that these works are not currently budgeted. Further, no design exists for the works and as such an estimate for the works will be within an order of cost magnitude only.

The development would have to be refused by Council if it were not provided with potable reticulated water. Given the abovementioned systems upgrade required, it is determined that the development could not proceed until the variable speed booster pump setup is commissioned. Relevantly, the subject land is external to Council's Priority Infrastructure Area and the proposed upgrades are not identified in Council's Priority Infrastructure Plans (PIP). Section 5.1.24 of IPA discusses the limited circumstances where Council can impose conditions on a development for necessary trunk infrastructure. It follows that if a conditional approval of the development is granted and a condition is applied requiring water network upgrades, the upgrade works cannot be identified as trunk infrastructure works. Accordingly, the development will be conditioned to provide the infrastructure to ensure that the approval accords with the performance outcome. However, the condition will be drafted in a manner that takes into account the circumstance where Council (rather than the developer) undertakes the works, should Council decide there is a broader community benefit that justifies doing the works itself.

Works Services and Infrastructure Code - Sewerage

The subject site is not located in a sewerage area and it is the intention of the Applicant to produce relatively developed lots that range in area from 1,259 m² to 2,579 m². To confirm that the lots can be adequately serviced, RMA engineers have provided an *On-site Wastewater Assessment Report* (23 December 2016). This report includes recommendations to ensure that the developed lots can treat the expected effluent loads from a 4-bedroom dwelling, accommodating six persons with fittings to Appendix

4.2 D of the On-site domestic wastewater code (AS1547:2000). A summary of the recommendations is presented as follows:-

- minimum lot fill – disposal areas must be a minimum elevation of RL 3.21 m AHD to ensure that the disposal areas have sufficient elevation above the agreed conservative maximum future groundwater level of RL 2.3 m AHD (seasonal ground water level of 1.5 m plus 0.8 m for expected seal level rise); and
- a minimum secondary standard of treatment is required;

Works Services and Infrastructure Code - Stormwater

Performance criteria four (P04) of the Works, Services and Infrastructure Code (WSIC) states that services and utilities are to be planned, designed and constructed in a manner that: ensures appropriate capacity to meet the current and planned future needs of the development and can be easily and efficiently maintained. The WSIC performance criteria is reinforced by performance criteria nine (PO9) of the Flood Hazard Overlay Code that directs the Applicant to provide a development that does not directly, indirectly or cumulatively change flood characteristics external to the site.

The Applicant's engineers submitted a stormwater management plan (SMP) dated 10 November 2016 that deals with the stormwater from the site in a manner that splits the development into two discrete catchments, namely the catchment for proposed Lots 1 to 7 and part of the balance proposed residential Lots that will drain into the Murdoch's Road Drain upstream of the Tidal Bund (the Upstream Outlet) and the balance of the proposed residential lots that will drain to Murdoch's Road Drain downstream of the Tidal Bund (the Downstream Outlet) in a drain that would vary between 28 and 15 metres wide (12 metres plus cleared access track) depending on depth of drain and batter slopes. The catchment draining to the Downstream Outlet will be adjusted to ensure that the flow characteristics in both volumes of discharge and peak discharge directed to the Upstream Outlet are no greater than those for the pre-development condition. The balance of the catchment draining to the Downstream Outlet will then have no attenuation. Meaning, the flows will discharge before the peak flows from the upstream catchment (north and west of Moore Park Road). To ensure the balancing and hence compliance with the performance objects is effected in the Murdoch's Road drain, the Applicant will be conditioned to provide a 2 dimensional stormwater model linked to a bulk earthwork plan prior to the submission of the first stage of development.

The above philosophy is predicated on the ability to provide an open drain through the balance area with an outlet downstream of the tidal bund which will include considerable clearing of native vegetation outside the residential footprint. The DNRM approval dated 20 October 2017 states 'clearing for new infrastructure, including but not limited to roads, services, single residences and associated infrastructure ... must only occur within the area identified as Area A'.

Area A is generally described as the new lots and proposed Lot 100 or as mentioned above the residential footprint. Meaning the open drain associated with the Downstream Outlet is specifically excluded from the DNRM approved clearing. As a result the approval will need to include a requirement to change the DNRM clearing approval to mirror the drainage philosophy proposed, or provide a new drainage strategy if the DNRM approval cannot be modified to allow for the open drain associated with the Downstream Outlet.

In concert with the catchment balancing proposal the Applicant intends to keep the drainage as shallow as possible though the provision of underground drainage at only the end of each cul-de-sac and bends. This option limits the amount of fill imported to the site and is necessary to get fall over the bioretention areas, but means that the roads will fill to depths in the vicinity of 280 mm during major rainfall events and will not meet the current flooded width standards for minor storms provided in QUDM and Council's development works policy. It should be noted however that the above-described outcome is in keeping with the rest of Moore Park.

It should also be noted that proposed Lots 1 to 7 on Gengers Road are proposed to be filled so that they fall directly to the road frontage. The filling will have to be undertaken in a manner that it does not interfere with the riverine DFE (flood level).

Roadworks and Access

The Works, Services and Infrastructure Code PO4 requires an Applicant to provide infrastructure that meets the current and future needs of the development and integrates with the and efficiently extends the existing network. In this regard the roads will be conditioned to comply with the standards provided in the current Planning Scheme.

Flooding Immunity and Filling of Land

All proposed Lots are clear of the riverine defined flood event , however, lots 1-7, 26-28 and 33-36 are subject to stormtide inundation, and as such, where consideration is being given to a later planning policy (ie: Overlay of the Bundaberg Regional Council Planning Scheme 2015) the Flood Hazard Overlay Code applies to these lots only. The flood event impacting the development footprint is a modelled storm tide inundation event (not riverine or localised flooding). The applicable performance outcomes that apply to the affected lots are PO4 and PO9.

Performance outcome nine (PO4) of the Flood Hazard Overlay Code requires developments to be 'sited and designed such that potential risk to people and damage to property on the site from flooding or storm tide inundation is avoided or minimised'. The Acceptable Outcomes for the performance outcome requires the following:

1. There is no intensification of residential uses on the situated below the DFL;
2. No additional residential lots are created below the DFL; and
3. Development that increases the number of people living or working in a flood hazard area has an emergency evacuation plan for people to evacuate to a gathering point above the DFL.

As discussed the abovementioned lots are clear of the riverine defined flood event levels, however, they are partially within the fringes of stormtide inundation area, which in affected areas follows the dune swales which run across the site. It is noted that to provide sewerage to each lot filling it is required to provide a minimum surface level of RL 3.21 AHD (noting some lots are already partially above the minimum level) and as such after the aforesaid filling is provided the proposed lots will meet the intent of P04.

Performance outcome nine (PO9) of the Flood Hazard Overlay Code requires developments to be provided in a manner that 'does not directly, indirectly or cumulatively change flood characteristics which may cause adverse impacts external to the development site'. As mentioned above the filling undertaken to proposed lots is limited to within the fringes of the stormtide inundation area and predominantly along

dune swale areas. In this regard any potential effect to the flood characteristics would be negligible. Modelling of similar fringe areas, but within riverine flooding, has shown localised effects, that would contain any impacts within the subject site. Accordingly, although there is proposed filling within the stormtide inundation area, such filling will not compromise the intent of PO9.

In addition to consideration of the content of Council’s current Flood Hazard Overlay the Applicant has been required (through a State Referral Agency information request) to address the State Development Assessment Provisions (SDAP) PO1-PO7 dealing with coastal hazard, erosion prone areas and stormtide inundation. This review lead to the modification of the development footprint to limit the creation of new lots within the erosion prone area and with minor filling of dune swales on 6 lots could be considered to be clear of the ‘high coastal hazard area’. Importantly the State Government accepted the revised plans and applicant representations as satisfying the SDAP module 10 Coastal Protection.

Public Notification

The following matters were raised by submitters during the public notification of the application in 2009 and 2017:

Grounds of Submissions		Considerations
1	This wetland area is unique in our coastal area and provides continuity of bushland	It is acknowledged that the subject land is located in close proximity to wetland and watercourse areas that are subject to coastal processes. As discussed in this Report, the area of the site 15.0ha (approx.) which contains the residential development footprint has been assessed by State referral agencies as being suitable for urban development, including associated vegetation removal and filling of land. It is noted that the balance area of the site (232.11ha approx.) will be retained in a natural state
2	This area should be a recreational area	This area is privately owned land which provides limitations on public access for recreation. Additionally, the land is not identified within Council’s Priority Infrastructure Plan (PIP) as an open space area.
3	Objection is raised to creation of lots 1-7 on Gengers Rd. This site has a high water table and development will block drainage paths.	It is acknowledged that the proposed lots 1-7 fronting Gengers Road are in part low lying and will require some filling to ensure adequate building areas and WWTD areas are available. Council’s Development Engineers do not agree that the extent of filling required to create lots 1-7 will have any appreciable impact on the flood or drainage characteristics of the development site or adjoining land. It is conditioned that all new lots in the development have a minimum finished level of RL 3.21 AHD.
4	The is no demand for new residential development and there is little supporting services in Moore Park Beach (eg:	There have been no new lots created in Moore Park (in the form of a residential estate) in the past 10 years. It is acknowledged that some vacant residential land may exist in Moore Park for a variety of different reasons, however the introduction of 82 new

	sewerage, police, public transport)	residential lots represents a modest increase in lots and will be delivered in 5 stages subject to market demands. It is considered that the new development will be adequate serviced with infrastructure and community services commensurate to location.
5	This wetland contains endangered bird species	<p>Numerous investigations into the fauna and flora located on the development land (specifically Lot 2) have being undertaken following lodgment of the original development application. In addition to Applicant investigations multiple State Agencies have reviewed the proposal as Referral Agencies administering various legislation relating to vegetation protection, coastal management, water/groundwater management, and environmental protection. In addition to State Government requirements, development over the subject land has also been subject to review by the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (as it was then known) under the Commonwealth Environmental Protection & Biodiversity Conservation Act and the State Nature Conservation Act. The written conclusion of this review was that the nature and magnitude of any impacts of the development were acceptable.</p> <p>It is acknowledged by both Council and the Applicant that the subject land is a sensitive coastal environment providing habitat for a variety of important fauna and flora. Despite multiple assessments and review by relevant State and Federal Government Departments it has been concluded that the development (including the Gengers Road area of development) does not introduce unacceptable impacts to the habitat of 'endangered' or 'threatened' bird species (specifically the coxens fig parrot and black breasted button quail).</p>
6	This site (Gengers Road lots 1 -7) is prone to flooding and will be impacted by sea level rise	As discussed above proposed lots 1-7 fronting Gengers Road will be required to be filled to obtain an adequate level of flood immunity. It is the view of Council's Development Engineers that this filling can be achieved without impacting adversely on the flood or drainage characteristics of adjoining land.
7	This site is unsuitable for residential development as it is thick with midge and mosquitoes	It is acknowledged that the subject site and broader urban locality can be impacted by the effects of biting midge and mosquitoes at different times.
8	The Moore Park area needs growth and development, please approve this development.	Comments noted.

4.1 Internal Referrals

Advice was received from the following internal departments:

Internal department	Referral Comments Received
Development Assessment - Engineering	27 November 2017
Water and Wastewater	17 August 2017

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agencies

Referral Agency responses were received from the following State agencies:

Department of Transport and Main Roads (DTMR) by correspondence date 19 October 2017, acting as a concurrence agency, imposed conditions on the development relating to noise attenuation fencing, limiting direct access to the State Road, requiring upgrade of the Moore Park Road and Murdochs Road intersection (which also provides access to the main development site), and requirements relating to the management of stormwater.

Department of Natural Resources and Mines (DNRM) by correspondence dated 20 October 2017, acting as a concurrence agency, imposed a condition on the development limiting vegetation clearing for new infrastructure (eg: roads, services, residences, firebreaks etc..) to a defined development footprint corresponding with the proposed subdivision boundary.

Department of Environment and Heritage Protection (DEHP) by correspondence dated 1 November 2017, acting as a concurrence agency, imposed conditions of the development requiring sediment and erosion controls to be in place during construction works and an acid sulfate soils management plan to be prepared if encountered during construction.

Any significant issues raised have been included in section 3 of this report.

5. PUBLIC NOTIFICATION

Noting the proposal currently before Council was originally submitted in March 2006 and has been the subject of three (3) formal changes to the application, the proposal has previously been publically notified between 31 July 2009 and 17 September 2009. At this time the proposal was for a Reconfiguring a Lot application for 2 into 129 lots along with the Material Change of Use (preliminary approval) component. During the public notification period Council received properly made submissions objecting to the proposal.

In consideration of the most recent change application and pursuant to Section 3.4.4 of the Integrated Planning Act 1997, this current application was advertised for 30 business days from 28 August 2017 until 11 October 2017. The Applicant submitted documentation on 12 October 2017 advising that public notification had been carried out in accordance with the IPA. Council received further submissions in relation to this development application during this period, both objecting and supporting the proposal. Of the objections one (1) submission purported to represent eleven (11)

additional objectors, however, no signatures were provided. Any significant issues raised have been included in section 3 of this report.

6. DRAFT CONDITIONS

Draft conditions were issued to the Applicant on 29 November 2017.

The Applicant submitted representations to Council on 30 November 2017 relating to the following draft conditions:

- Condition 4 (General)
- Condition 6 & 7 (Landscaping)
- Condition 10 & 11 (Water)
- Condition 13 (Sewerage)
- Condition 14, 18, 19 (Stormwater)
- Condition 20(a), 20(c), 20(e) (Stormwater – First Stage of Development)
- Condition 24, 26(b), 26(c), 26(d) (Roadworks and Access)
- Condition 39 (Fencing)
- Condition 41 (Land dedication)
- Advices E & F

Note - Changes made to the conditions package as a result of application representations (Draft conditions response) has necessitated a re-numbering of conditions.

Communication Strategy:

Communications Team consulted. A Communication Strategy is:

- Not required
- Required

Attachments:

- [↓1](#) Site Plan
- [↓2](#) Locality Plan
- [↓3](#) Approved Plans
- [↓4](#) Referral Agency Responses
- [↓5](#) AICN
- [↓6](#) Applicants Draft Conditions Representations

Recommendation:

That Development Application 325.2006.50477.2 be determined as follows:

DESCRIPTION OF PROPOSAL

Preliminary Approval for a Material Change of Use, including a component under s3.1.6 of the *Integrated Planning Act 1997* overriding the Bundaberg Regional Council Planning Scheme 2015, for 82 low density residential lots and a Development Permit for Reconfiguring a Lot (2 lots into 84 lots).

SUBJECT SITE

Moore Park Road and Gengers Road, Moore Park Beach, Lot 2 on RP130787, and Lot 20 on RP46710

DECISION

Approved in full

The conditions of this approval are set out in **Schedule 1**. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

1. DETAILS OF APPROVAL

The following approvals are given:	Development Permit	Preliminary Approval
Making a material change of use assessable under the planning scheme, or a preliminary approval to which section 3.1.6 of IPA applies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reconfiguring a lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. PRELIMINARY APPROVAL AFFECTING THE PLANNING SCHEME

A preliminary approval to which Section 3.5.5A of the Integrated Planning Act 1997 applies is given and the assessment manager has approved a **variation to the local planning instruments**:

Local Planning Instrument	Variation Approved
Bundaberg Regional Council Planning Scheme 2015	<p>The preliminary approval varies the effect of the Planning Scheme in the following way:</p> <ul style="list-style-type: none"> a) Table 5.4.17 (Categories of development and assessment – Material Change of Use) for the Rural Zone is suspended and Table 5.4.1 (Categories of development and assessment – Material Change of Use) for the Low Density Residential zone applies to future development on proposed Lots 1 to 82 (inclusive) instead; b) The application of Table 5.5.1 (Categories of development and assessment – Reconfiguring a Lot) is modified so that the Low density residential zone provisions apply instead of the Rural zone provisions for future development on proposed Lots 1 to 82 (inclusive); c) Section 5.9 Categories of development and assessment – Overlays does not apply to the future development of a dwelling house on proposed lots 1 to 82 inclusive, subject to the reconfiguration of a lot component of this approval being completed in accordance with the conditions of this approval;

	<p>d) PO1, PO2, AO1.1, AO1.2 and AO2 of the Dwelling house code are suspended and are not alternate provisions to the QDC MP1.2 for any building works for a Dwelling House on proposed Lots 1 to 82 inclusive;</p> <p>e) PO4(g) and PO12 of the Reconfiguring a Lot Code do not apply to any reconfiguration of a lot development to create low density residential lots (proposed lots 1 to 82 inclusive) under this approval; and</p> <p>f) The application of Table 9.3.4.3.2 (Minimum lot size and dimensions) is modified so that the Low density residential zone provisions (for land that is not in a sewered area) apply instead of the Rural zone provisions for reconfiguration of a lot development to create low density residential lots (proposed lots 1 to 82 inclusive) under this approval.</p>
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3. OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

Listed below are other development permits and/or compliance permits that are necessary to allow the development to be carried out:

- All Operational Work

4. CODES FOR SELF ASSESSABLE DEVELOPMENT

The following codes must be complied with for self-assessable development related to the development approved.

The relevant codes identified in the:

- Bundaberg Regional Council Planning Scheme 2015 and Associated Planning Scheme Policies

5. SUBMISSIONS

There were 16 submissions received for the application. The name and address of the principal submitter for each properly made submission are as follows:-

Name of principal submitter - 2009	Address
B Moorhead F & N Foschi L Clark A Dotto E Hurst	117 Esplanade, Bargara, 4670 11 Gengers Road, Moore Park Beach, 4670 1/41 Kentia Avenue, Moore Park Beach, 4670 264 Dahl's Road, Bundaberg, 4670 12 Kindt Street, Moore Park Beach, 4670

Name of principal submitter - 2017	Address
B Moorhead Wildlife Preservation Society A Jarman Wide Bay Conservation Council Inc. Dr Chris Barnes W & D Stack and R Burns A & P Kent T Dotto R Bromwich M Schmitt K Brignell & LG Campbell-Butler	117 Esplanade, Bargara, 4670 PO Box 1215, Bundaberg, 4670 10 Cossart Crescent, Bargara, 4670 PO Nox 694, Maryborough, 4650 1 Rosewood Place, Bundaberg, 4670 7 Stormpetrel Court, Moore Park Beach, 4670 21/111-139 Coburns Road, Brookfield, 3338 264 Dahl's Road, Bundaberg, 4670 PO Box 827, Bundaberg, 4670 134 Blairs Road, Sharon, 4670 69 Norton Road, Moore Park Beach, 4670

6. CONFLICT WITH A RELEVANT INSTRUMENT AND REASONS FOR THE DECISION DESPITE THE CONFLICT

The assessment manager does consider that the assessment manager's decision conflicts with a relevant instrument.

Relevant instrument	Reason for the decision, including a statement about the sufficient grounds to justify the decision despite the conflict
Superseded Transitional Planning Scheme for the former Gooburrum Shire (Burnett Northern area) (1981). The Burnett Shire Land Use Strategic Plan (1997). The Bundaberg Regional Council Planning Scheme 2015. State Planning Policy 1/92	a) The residential development is well positioned, adjoining an existing urban area at the entry to the Moore Park Beach village; b) Appropriate standards of infrastructure (including reticulated water) can be conditioned to be provided to service the development; c) Provision of upgraded urban infrastructure to service the development (specifically reticulated water) is likely to provide improved servicing to the existing residents of the village; and d) The residential development footprint is supported by the Moore Park Development Control Plan, which was a relevant instrument at the time of lodgement. e) The dedication of Lot 20 on RP46710 for conservation and environmental purposes provides a community benefit; f) The development approval has been conditioned by State and Local Government agencies to ensure that environmental values are not compromised; g) The development approval secures drainage easements over existing drainage corridors;

	<p>h) The residential development footprint is not suitable for rural activities and the development does not prejudice rural activities on nearby land;</p> <p>i) Earthworks associated with the development will result in non-worsening of the drainage and flood characteristics of the development land and surrounding land.</p>
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6. REFERRAL AGENCIES

This application -

triggered referral coordination -

under s 3.3.5(1)(a) of IPA with respect to the application involving 3 or more concurrence agencies; and

under s 3.3.5(1)(c) of IPA as all or part of the application seeks a preliminary approval to override the local planning instrument under section 3.1.6

The referral agencies for this application identified within the Integrated Planning Regulation (IPR) are:

	For application involving...	Name of referral agency	Status	
<input checked="" type="checkbox"/>	For State-controlled road matters	Department of Infrastructure, Local Government and Planning (Former Referral Agency Department of Main Roads)	Concurrence	
<input checked="" type="checkbox"/>	<u>Material change of use (assessable against a planning scheme) or reconfiguration of a lot</u> containing remnant vegetation as defined under the Vegetation Management Act 1999	Department of Infrastructure, Local Government and Planning (Bundaberg)	Concurrence	State Assessment and Referral Agency (SARA) <i>E:</i> WBBSARA@dilgp.qld.gov.au <i>P:</i> PO Box 979 Bundaberg Qld 4670
<input checked="" type="checkbox"/>	For acid sulphate soils matters	Department of Infrastructure, Local Government and Planning (Former Referral Agency Department of Natural Resources,	Advice	State Assessment and Referral Agency (SARA) <i>E:</i> WBBSARA@dilgp.qld.gov.au <i>P:</i> PO Box 979 Bundaberg Qld 4670

		Mines and Water (Bundaberg)		
<input checked="" type="checkbox"/>	For applications & referrals relating to heritage, coastal and ERAs	Department of Infrastructure, Local Government and Planning (Former Referral Agency Environmental Protection Agency)	Concurrence	State Assessment and Referral Agency (SARA) E: WBBSARA@dilgp.qld.gov.au P: PO Box 979 Bundaberg Qld 4670
<input checked="" type="checkbox"/>	For landuses subject to Public Passenger Transport and Railways requirements	Department of Infrastructure, Local Government and Planning (Former Referral Agency Queensland Transport)	Concurrence	State Assessment and Referral Agency (SARA) E: WBBSARA@dilgp.qld.gov.au P: PO Box 979 Bundaberg Qld 4670

7. APPROVED PLANS

The approved plans and/or document/s for this development approval are listed in the following table:

Plan/Document number	Plan/Document name	Date
Z14-032F	Plan of Proposed Lot Reconfiguration	Nov 2017
Z14-032F	Plan of Proposed Boundary Reconfiguration (as amended in red)	Aug 2017
Z14-032F	Plan of Proposed Boundary Reconfiguration - Staging Plan	Aug 2017

8. WHEN APPROVAL LAPSES IF DEVELOPMENT NOT STARTED

Pursuant to section 3.5.21 of the Integrated Planning Act 1997 this approval will lapse six (6) years from the date that the approval takes effect unless the relevant period is extended pursuant to section 383.

9. REFUSAL DETAILS

Not Applicable

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER

PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

General

1. Meet the full cost of all works and any other requirements associated with this development, unless specified in a particular condition.
2. Where there is any conflict between Conditions of this Decision Notice and details shown on the Approved Plans, the Conditions prevail.

3. Comply with all of the conditions of this Development permit prior to the submission of a Plan of Subdivision for compliance assessment and signing, unless otherwise stated within this notice.

Completion and Lapsing Dates

4. The development the subject of this development approval must be completed within six (6) years from the date that the approval takes effect.

The preliminary approval for material change of use component of the approval will lapse six (6) years from the date that the approval takes effect or on the date that the land approved for residential lots is included within the Low Density Residential zone of the Bundaberg Regional Council Planning Scheme 2006 or equivalent zone of a future Local Planning Instrument, whichever is the sooner.

Landscaping

5. Provide street trees in accordance with Council's Planning Scheme Policy for development works.
6. A Landscape plan must be submitted to and approved by the Assessment Manager for all proposed landscaped areas including street plants and stormwater drainage areas where works will revert to public ownership as part of an application for Operational Works. The plan must be generally in accordance with the Approved Plan/s, have regard to the conditions of this approval and include, but not be limited to, the following features:
 - a. The area or areas set aside for landscaping;
 - b. A plan and schedule of all proposed trees, shrubs and ground covers provides for the road reserves and drainage reserves:
 - i. The location, spacing and sizes at planting and at maturity of all plants;
 - ii. The utilisation of species indigenous to the area (the Plant Species List contained within Council's Landscaping Planning Scheme Policy is a guide to species selection; the botanical and common names of plants must be provided). No exotic plants are to be specified;
 - c. Details of any landscaping structures, including entrance statements;
 - d. Details of cutting and filling and all retaining structures and fences and associated finishes; and
 - e. Inclusion of a controlled underground or drip irrigation system. Any such system is to be fitted with an approved backflow water prevention device. In the alternative to the irrigation system, an extended maintenance period of 24 months will be applied to ensure plants have reached sufficient maturity.
7. Landscaping is to be completed in accordance with the Approved Plans prior to the development being placed on maintenance (where a public asset) for that particular stage of development.

New Street Names

8. Street names must be submitted to and approved by the Assessment Manager prior to the commencement of Operational Works associated with new unnamed roads. A written request for the proposed naming of streets must be submitted that includes three (3) suggested road names for each new street in the development that:
 - a. Reflect aspects of the area in which the streets are located, including historical names, unless otherwise determined by the Assessment Manager. The order of preference in allocating street names will be:
 - i. Historical persons / Historical place names;
 - ii. Other relevant aspects (e.g. local flora and fauna); and
 - iii. Themed street names. Where 'themed' names are proposed, a list of street names for the entire development must be submitted as part of the Operational Works application for Stage One of the development;
 - b. Are nouns and generally contain one (1) word. Composite words may be acceptable when they supplement the primary name; and
 - c. Are unique and unambiguous to the Bundaberg Regional Council local government area.

(Note: where a street is extended, the new section created will retain the name of the street extended.)

9. Supply and erect all necessary street signs and posts.

Water

10. Provide a reticulated water supply service to each lot by supplying all necessary materials, including structures and equipment, and performing all necessary works.
11. The first plan of subdivision can be submitted to Council for approval only
 - Either:*
 - a. after the Moore Park potable water system has been upgraded by Council effectively replacing the existing high level reservoir with variable speed booster pumps and associated works;
 - OR*
 - b. after the developer has constructed an upgrade the Moore Park potable water system to the satisfaction of Council by replacing the existing high level reservoir (Elevated Water Storage) with variable speed booster pumps, building, back-up generator, electrical, land where applicable and associated works.

Note: such works require a development permit for Operational Works.

Sewerage

12. Allotments 1 to 82 inclusive must be constructed to at least RL 3.21 AHD.

13. Future dwellings on new allotments must be provided with an on-site sewerage facility that is designed, constructed, operated and maintained in accordance with the Queensland Plumbing and Wastewater Code and Australian Standard AS 1547-2000 under the Plumbing and Drainage Act 2002.

Wastewater must be treated to a minimum secondary standard and must be generally in accordance with the recommendations contained in the RMA On-site Wastewater Assessment Report dated 23 December 2016.

Stormwater

14. Stormwater drainage must be designed and constructed in accordance with the requirements of the Queensland Urban Drainage Manual and Bundaberg Regional Council, ie, a piped system with a capacity to cater for Q5ARI flows, with overland flowpaths to be provided for a capacity of Q100ARI (with global warming and climate change to 2100) less piped flow.
15. Lateral underground drainage must be provided under the proposed new roads to a standard of Q10 ARI minor.
16. The Developer must not block any drainage paths through or into the development without providing stormwater drainage infrastructure and concordant easements. The easements must be a minimum three (3) metre wide, or such greater width as is required to contain the Q100 ARI (with global warming and climate change to 2100) overland stormwater flow, in favour of either Bundaberg Regional Council where the stormwater infrastructure and overland flows traverse the subject land from upstream lots. Such easements must extend from property boundary to property boundary.
17. The surface of each Lot must be shaped to drain directly to either a Road or Drainage Reserve, as no inter-allotment drainage will be permitted, unless it can be demonstrated that Lot filling, shaping, retaining walls or other methods are not practical. Should inter-allotment drainage be accepted for use by Council, inter-allotment drainage (with inlet pits in each allotment if underground drainage) of sufficient capacity to convey up to Q100 ARI (with global warming and climate change to 2100), flows or lesser ARI as directed by the Senior Development Engineer, must be designed and constructed in accordance with the Queensland Urban Drainage Manual to cater for the stormwater from upstream lots. The drainage specifics must be determined at the Operational Works Stage.
18. The Developer must ensure that no filling is undertaken within the area affected by the riverine defined flood event (DFE) event as identified in proposed Lot 100.
19. Where an overland component of the Q100 ARI flows (with global warming and climate change to 2100) must be conveyed via an open drain. The drain must –
 - a. Have capacity for Q100 flows (with global warming and climate change to 2100) from the existing upstream catchments and this development with a minimum 150 mm freeboards;

- b. Have maximum batter slopes of 1V: 6H grassed or where slopes are steeper than the aforesaid, landscape the batters to the satisfaction of Council. Batter slopes may not be steeper than 1V :2H unless specifically approved by the Assessment Manager; and
- c. Have a maintainable invert sufficient to accommodate maintenance vehicles during wet periods. The specifics of the type of invert must be determined at the Operational Works stage.

Stormwater – First Stage of Development

20. Prior to the submission of operational works for the first stage of development, the Developer must:

- a. Submit for approval by Council a Bundaberg Sugar - Stormwater Drainage Report which incorporates 2D XPSWMM Modelling of the hydraulic network and the proposed stormwater catchments (with global warming and climate change to 2100) that accords with the outcomes of the RMA Stormwater Management Plan dated 10 November 2016, but more specifically showing:

Either -

- a. that the stormwater to be directed upstream of the tidal bund on the Murdoch's Road Drain has the same flow characteristics as the pre-development (inclusive of volume of flow and peak discharge); and
- b. the extent of the drain that is proposed to discharge to downstream of the bund wall (the Downstream Outlet); and
- c. that, where required, all approvals have been obtained from DNRM to clear vegetation necessary for the construction of the Downstream Outlet drain and maintenance access path, noting conditions contained with DNRM Referral Agency Response dated 20 October 2017 relating to vegetation clearing;

OR

- d. a modified stormwater strategy that discharges the stormwater within the approved clearing area upstream of the tidal bund and does not directly, indirectly or cumulatively change flood characteristics which may cause adverse impacts external to the development site;

AND

- e. includes the requirements of the other general stormwater conditions contained herein inclusive of no worsening of the flood characteristics external to the site.
- f. Provide a detailed bulk earthwork plan for the proposed development works clearly identifying the catchments that are to be directed upstream and downstream of the tidal bund contained in Murdoch's Road Drain. This bulk earthwork plan will then form the basis of the Approved Cut/Filling Plan.

When approved, the Approved Cut/Fill Plan and Bundaberg Sugar - Stormwater Drainage Study Report will form part of the endorsed plans and documents respectively for this approval.

21. The drainage system for the development must incorporate Stormwater Quality Improvements in accordance with the State Planning Policy July 2017 and the Bundaberg Regional Council Stormwater Management Strategies. A Site Based Stormwater Management Plan and Erosion and Sediment Control Management Plan, inclusive of long term maintenance measures, must be submitted as part of an application for Operational Works outlining how the Stormwater Quality Improvements in both the construction and operational phases of the development will be achieved.
22. Bio-retention measures will have a maintenance period of 24 months from the time when the last stage contributing the measures is accepted 'on maintenance'.
23. Provide a stormwater drainage easement of sufficient width to contain the riverine defined flood 1% ARI event (Murdoch's Road Drain) through the subject site from Moore Park Road to five metres downstream of the tidal bund.

Roadworks and Access

24. The new roads must be dedicated as road reserve.
25. Intersection designs must be in accordance with Main Roads Road Planning and Design Manual and, where applicable, Austroads *Guide to Road Design Part 4A: Unsignalised and Signalised Intersections*.
26. Provide truncations to all street intersection types to a minimum of six (6) metre three (3) chord configuration. The truncation must be dedicated as road reserve.
27. Construct all new roads in accordance with the following requirements:
 - a. All roadways must be sealed with asphaltic concrete.
 - b. Provide concrete kerb and channelling (inclusive of concrete flush kerbing as necessary for drainage) on each side of all roadways to the relevant standard.
 - c. The Roads A, D and E must comply as a minimum with the standards specified in Table SC6.3.3.4.4.1 of the *planning scheme policy for development works – Access Place* road. The specific requirements must be determined as part of the Operational Works application;
 - d. The Road B must as a minimum comply with the standards specified in Table SC6.3.3.4.4.1 of the *planning scheme policy for development works – Access Street* road. Except that the road reserve for Road C may reduce to 17.5 metres. The specific requirements must be determined as part of the Operational Works application;
 - e. The Gengers Road roadway for proposed lots 1 to 7 inclusive must be minimum paved to a width of eight (8) metres measured between nominal kerb lines; and
 - f. Cul-de-sac bulbs must be provided with a minimum twenty (20) metre turning circle measured from the nominal kerb line.

28. Where the staged road layout does not allow a commercial vehicle to manoeuvre within the roadway in a forward gear, provide a temporary sealed turn-around facility. The temporary turn-around facility/ies must be in accordance with an Operational Works approval and provide a minimum twenty (20) metre turning circle, measured from the edge of the pavement.

Staging

29. The development may be staged in accordance with the stage boundaries shown on the Approved Plans. If staged, the development need not be completed sequentially in the stage order *and may sub-stage the release of any or all allotments in that stage as indicated on the Approved Plans* provided that the conditions of each respective stage of this Development Permit have been met, prior to the endorsement of a Plan of Subdivision (unless otherwise stated within this notice).

Electricity, Street lighting and Telecommunications

30. Provide underground electricity service to proposed Lots 8 to 82 and aboveground or underground to proposed Lots 1 to 7 service under standard tariff conditions and without further capital contributions by supplying all necessary materials, including structures and equipment, and performing all necessary works.
31. Prior to the submission of the Plan of Subdivision obtain a Certificate of Completion from Ergon Energy.
32. Padmount transformers must be located within the road reserve fronting proposed or existing park or drainage reserves, unless otherwise agreed in writing by the Assessment Manager.
33. Street lighting to new roads, multi-modal pathways and intersections must be by way of provision of underground conduits and cables, poles and street lights unless associated with proposed lots 1 to 7 where lighting may be aboveground. The design and provision of street lighting must be in accordance with Australian Standard 1158:2005. The applicable lighting category is P5 using aeroscreens for all roadways.
34. Enter into an agreement with the Telecommunications Authority or Cable Service provider (whichever is applicable) to ensure that telecommunication/cable services will be available to each lot. Provide evidence of such an agreement to the Assessment Manager prior to the approval of the Plan of Subdivision.
35. Telecommunication conduits (ducts) and pits, including trenching and design, must be provided to service the development in accordance with 'Fibre-Ready' standards or the NBN Co Installing Pit and Conduit Infrastructure - Guidelines for Developers, to the satisfaction of the Assessment Manager.

Easements

36. Lodge for registration at the office of the Land Registry the following easement: a stormwater drainage easement having a minimum width of three (3) metres or as determined in an application for Operational Works, whichever is the greater, to the benefit of Council that includes:

- i) all stormwater overland flow paths traversing the land;
 - ii) Q100 ARI stormwater overland flow paths traversing the site;
 - iii) any stormwater main existing or proposed to traverse the land located within the easement and a minimum of one (1) metre from the easement boundary; and
 - iv) all Q100 ARI stormwater overland flow paths downstream of the land to an agreed lawful point of discharge.
37. Draft easement documentation must be submitted to the Assessment Manager for endorsement.
38. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.
39. Ensure that any easements and rights pertaining to the parcels of land associated with this approval are maintained unless otherwise stated on the Approved Plan/s or the conditions of this approval. Proof of the registration or surrender of any easements are to be submitted to the Assessment Manager at the time of the submission of a Plan of Subdivision for compliance assessment and signing.

Fencing

40. The southern boundary of Lots 76 to 79 (inclusive) and 82 are to be provided to with a minimum 1.8m high screen fence to provide some buffering to the adjoining rural land.

Land Dedication

41. Dedicate Lot 20 on RP 46710 to the State Government as a reserve for environmental purposes.

Lot 100 and 101

42. Proposed Lots 100 and 101 are to be retained as a single balance Lot.

Bushfire Management

43. A 6.0m wide fire maintenance trail must be provided within proposed Lot 100 adjoining the rear and side boundaries (where applicable) of proposed lots 1-8, lots 31-35 and lot 39. The fire maintenance trail must incorporate the following features:
- a) Have a minimum cleared width of 6.0m;
 - b) Have a formed width with adequate gradient of vehicular access and maintenance;
 - c) Have vehicular access points at each end and incorporate passing areas; and
 - d) Be contained within an access easement in favour of Bundaberg Regional Council and the Queensland Fire and Rescue Service.
44. The owner of the land shown as proposed lot 100 on the approved plan is required to maintain the 6.0m width of the fire maintenance trail in a cleared state in perpetuity, unless otherwise agreed to by the Assessment Manager. A property note to this effect will be placed on the relevant lot.

PART 1B – ADVICE NOTES

Infrastructure Charges Notice

- A. Please find attached the Infrastructure Charges Notice (Ref No 331.2017.902.1) applicable to the approved development.

Rates and Charges

- B. In accordance with the *Planning Act 2016* and subordinate legislation, all rates, charges or any expenses being a charge over the subject land under any Act must be paid prior to the Plan of Subdivision being endorsed by the Assessment Manager.

Acid Sulphate Soils

- C. An acid sulphate soils management plan will be required to be submitted as part of an application for Operational Works.

Water and sewer

- D. Arrangements for the installation of any new metered service and sub-meters, or removal of an existing service, must be made with Council's Water and Wastewater Infrastructure Planning Technical Support Section.
- E. Council permits only one water service for each property. This means only one connection to the water main although there may be a potable and fire service feeding from that connection.
- F. Connection to Council's water infrastructure is subject to further approvals. For further information about these requirements, contact Council's Water and Wastewater Infrastructure Planning Technical Support Section on 1300 883 699.

Stormwater (Two (2) Dimensional Modelling – Base Model Supplied by Council)

- G. Council will make available either the Murdoch's Road Drain Model (which may be in two-flow) or a nominated flow line (upstream of Moore Park Road) and boundary condition sufficient to model the subject site using an XP SWMM model.

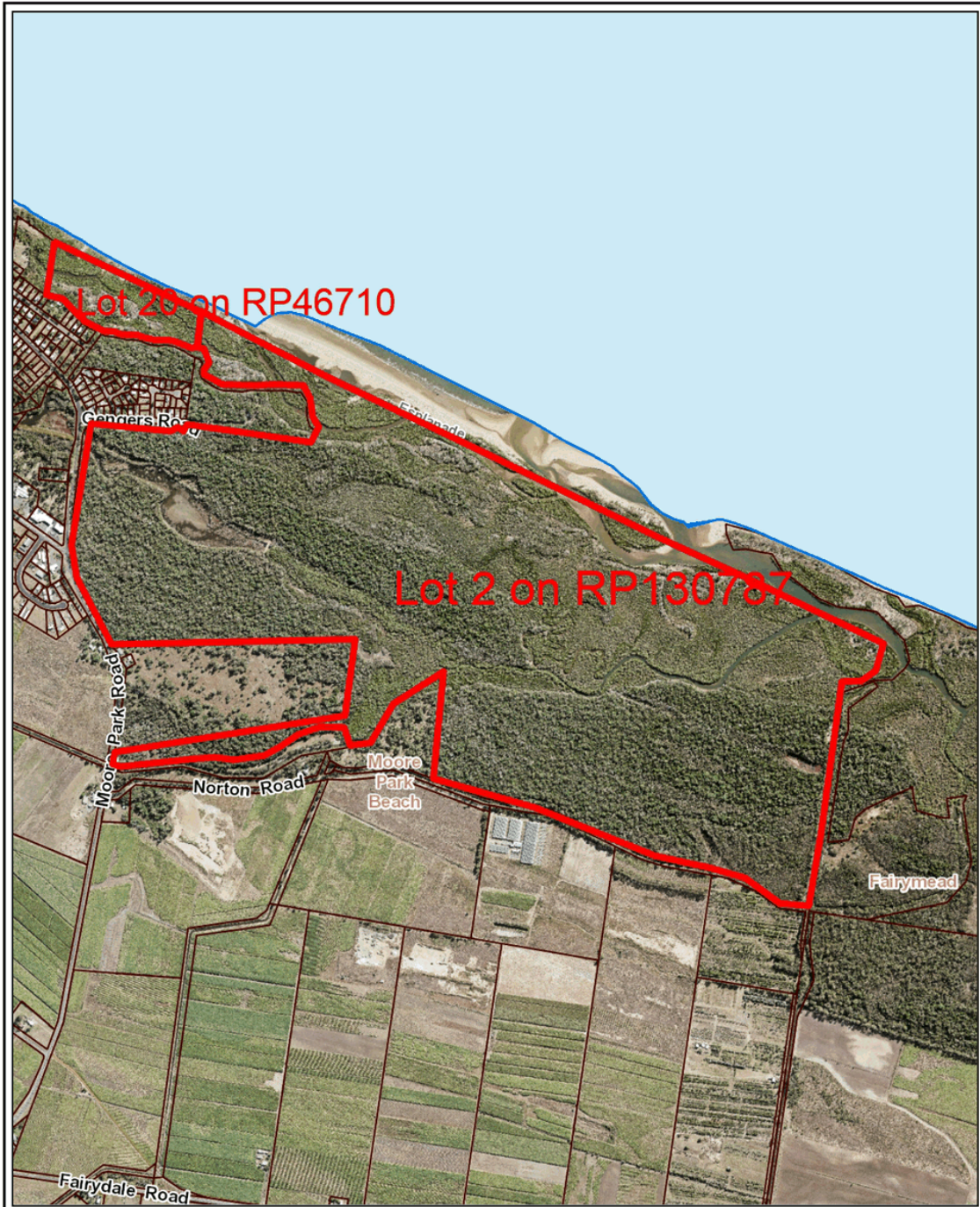
Property Note

- H. The following property note will be applied to new Lots 76-89 (inclusive) and 82:

Landowners are advised that the subject land is in close proximity to land located in the Rural Zone and the lawful utilisation of this land for rural purposes may impact adversely on the amenity of nearby residential properties (including the subject property).

- I. The following property note will be applied to new Lots 1-82 (inclusive)
- Onsite waste water treatment and disposal is to be undertaken on the land in accordance with the methodology detailed in RMA engineers *On-site Wastewater Assessment Report* (23 December 2016). This report includes recommendations including:

- minimum lot fill – disposal areas must be a minimum elevation of RL 3.21 m AHD to ensure that the disposal areas have sufficient elevation above the agreed conservative maximum future groundwater level of RL 2.3 m AHD (seasonal ground water level of 1.5 m plus 0.8 m for expected seal level rise); and
 - a minimum secondary standard of treatment is required.
- J. The following property note will be applied to the new balance lot created containing proposed lots 100 and 101 which are to be combined as a condition of this approval:
- a) The owner of the land containing proposed lot 100 (which is to be combined with lot 101 under this approval), is required to maintain the 6.0 m wide fire maintenance trail adjoining lots 1-8, lots 31-35 and lot 39 in a cleared state in perpetuity, unless otherwise agreed to by the Assessment Manager.
- K The following property note will be applied to new Lots 8-15 (inclusive) and Lots 74 to 76 (inclusive):
- The owner of the land is advised that direct vehicular access between Moore Park Road and the subject land is not permitted.



SITE PLAN



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Date: 4/12/2017 4:06 PM

Scale 1 : 17,029.95

on A4 Sheet

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Author:



Locality Plan 325.2006.50477.2



Projection: GDA_1994_MGA_Zone_56

Date: 4/12/2017 4:14 PM

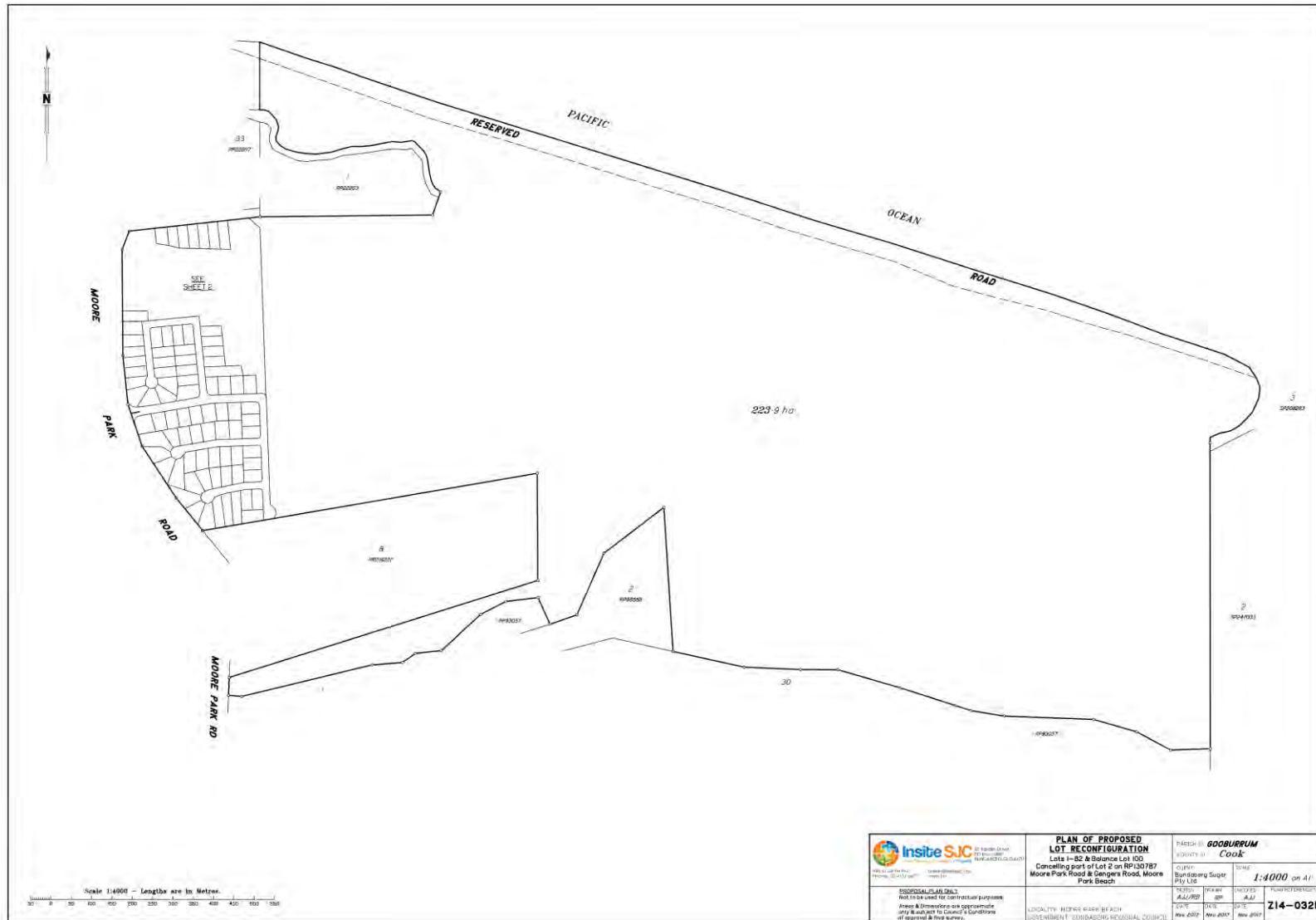
Scale 1:136,239.58 on A4 Sheet

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Author: Richard Jenner



 <p>Insite SJC <small>100 St James Street, Suite 101, Brisbane QLD 4000</small> <small>Ph: 07 3251 1000 Fax: 07 3251 1001</small></p>	<p>PLAN OF PROPOSED LOT RECONFIGURATION Lots 1-52 & Balance Lot 100 Cancelling part of Lot C on RP130787 Moore Park Road & Geyers Road, Moore Park Beach</p>		<p>PARISH: GOOBURRUM COUNCIL: COOK</p>	
	<p><small>DISPOSABLE ONLY Not to be used for contractual purposes Areas & boundaries are approximate Only to be used in Council's conditions of approval & this survey.</small></p>		<p>SCALE: 1:4000 on A1</p> <p>DATE: 12/11/2014</p>	
<p>LOCALITY: MOORE PARK BEACH DISTRICT: GOOBURRUM REGIONAL COUNCIL</p>		<p>PROJECT NUMBER: Z14-032F</p>		



**Department of Natural Resources and Mines
(DNRM) – Referral Agency Response**

Given under section 3.3.16 of the *Integrated Planning Act 1997 (Qld)*,
Concurrence Agency Response for *Vegetation Management Act 1999*.

RECEIVED

03/11/2017



1. Application information

325.2006.50477.2

- 1.1. **Applicant's name:** Bundaberg Sugar Ltd C/- Insite SJC
- 1.2. **Property description:** 20 RP46710 and 2 RP130787 - Bundaberg Regional Council
- 1.3. **Assessment Manager/Reference:** Bundaberg Regional Council Reference No. 325.2006.50477.1
- 1.4. **Date application was referred to Department:** 02 March 2017
- 1.5. **Departmental Reference:** eLVA Case No: 2017/001039, SARA Ref: SDA-0217-037322
- 1.6. **Type of development sought by the application:** Material Change of Use and Reconfiguring a Lot

2. Concurrence Agency response:

The Chief Executive of the Department of Natural Resources and Mines directs that the following conditions must be imposed on any approval given by the Assessment Manager:

- 2.1. Clearing for new infrastructure, including but not limited to roads, services, single residences and associated infrastructure, and for firebreaks permissible under Schedule 21 of the Planning Regulation 2017 associated with this development approval must only occur within the area identified as Area A on attached Referral Agency Response (Vegetation) Plan RARP SDA-0217-037322 dated 11 October 2017.

Referral Agency Response (Vegetation) Plan RARP SDA-0217-037322 dated 11 October 2017 is attached and forms part of this Referral Agency Response.

3. Reasons:

A Statement of Reasons is attached at Schedule 1.

4. Authorised Officer Signature:

Michael Watson
Manager, Natural Resource Assessment
South Region
Date: 20 October 2017

IDAS Referral Agency Response

eLVAS Case No: 2017/001039

Schedule 1

Statement of Reasons Referral Agency Response Application for Material Change of Use and Reconfiguring a Lot Bundaberg Sugar c/-InsiteSJC

The following Statement of Reasons is provided pursuant to s. 3.3.18(8) of the *Integrated Planning Act 1997*

Evidence

1. *Integrated Planning Act 1997* and Integrated Planning Regulation 1998
2. *Sustainable Planning Act 2009* and Sustainable Planning Regulation 2009
3. Planning Regulation 2017
4. *Vegetation Management Act 1999*
5. State Development Assessment Provisions (SDAP), version 1.10, module 8, commencing 5 December 2016
6. Regulated Vegetation Management Map and Vegetation Management Supporting Map – accessed 11 October 2017
7. Moore Park Development Control Plan Map – Planning Scheme for area of the shire of Gooburrum, Gazetted 15th May 1992.
8. Internal current title search 11 October 2017
9. DNRM databases – Electronic Land and Vegetation Administration System and SmartMap Information Services
10. Referral Agency Response 2006/005667 issued on 18 May 2010
11. Pre-lodgment advice provided on 03 February 2016 (2016/000413)
12. Bundaberg Regional Council Acknowledgement Notice dated 22 February 2017 – detailing that the application relates to a change to the original application lodged on 29 March 2006
13. Amended development application documents received 02 March 2017
14. Response to information request received 18 August 2017

Findings of fact

1. The application involves a Material Change of Use and Reconfiguring a Lot for a residential development. This is considered to be an urban purpose under the *Integrated Planning Act 1997* and the *Sustainable Planning Act 2009*.
2. The Moore Park Development Control Plan was in effect as at the date the application was lodged with the assessment manager, being 29 March 2006. The original application was referred to DNRM as a concurrence agency and a concurrence agency response was issued on 18 May 2010 outlining that the development met the exemption for an urban purpose within an urban area. A Referral Agency Response (Vegetation) Plan was issued, limiting the clearing to the proposed development footprint. The application was never decided by the Assessment Manager.
3. The current application is a change to the original application lodged in 2006 and involves a slightly larger area within Lot 2 RP130787 to that which was previously approved. It did however remove a proposal to develop within Lot 20 RP46710. The revised footprint remains within the bounds of the Moore Park DCP.

4. The plan of proposed boundary reconfiguration, Insite SJC, dated August 2017 shows the development will be confined to areas shown as *Lagoon residential and Service and Light Industries* within the Moore Park Development Control Plan. The predominant land use defined within the Moore Park Development Control Plan for both of these areas is consistent with an urban area under the *Integrated Planning Act 1997* and the *Sustainable Planning Act 2009*.
5. The vegetation management supporting map shows that the development will only occur within of concern and least concern regional ecosystems. No endangered regional ecosystems will be cleared as a result of the development.
6. The application was therefore assessed against SDAP, module 8, Table 8.1.3 PO1, PO2, PO3 and PO5.
7. With regards to PO1 - the area subject to the development has been significantly reduced from the previous application for which DNRM issued an approval. Therefore the impacts of the development have been reasonably avoided and minimised.
8. With regards to PO2 & PO3 – no environmental offset areas, declared areas, exchange areas, restoration notices or other regulatory instruments were identified on the subject land.
9. With regards to PO5 - clearing associated with the proposed development is for an urban purpose within an urban area where the area subject to clearing does not contain an endangered regional ecosystem. Therefore the clearing could be done under an exemption prescribed under Schedule 24, Part 2 of the Sustainable Planning Regulation 2009.
10. Subject to the above condition (a RARP limiting the development to the urban area), the application meets the relevant performance outcomes within the State Development Assessment Provisions (SDAP), version 1.10, module 8.

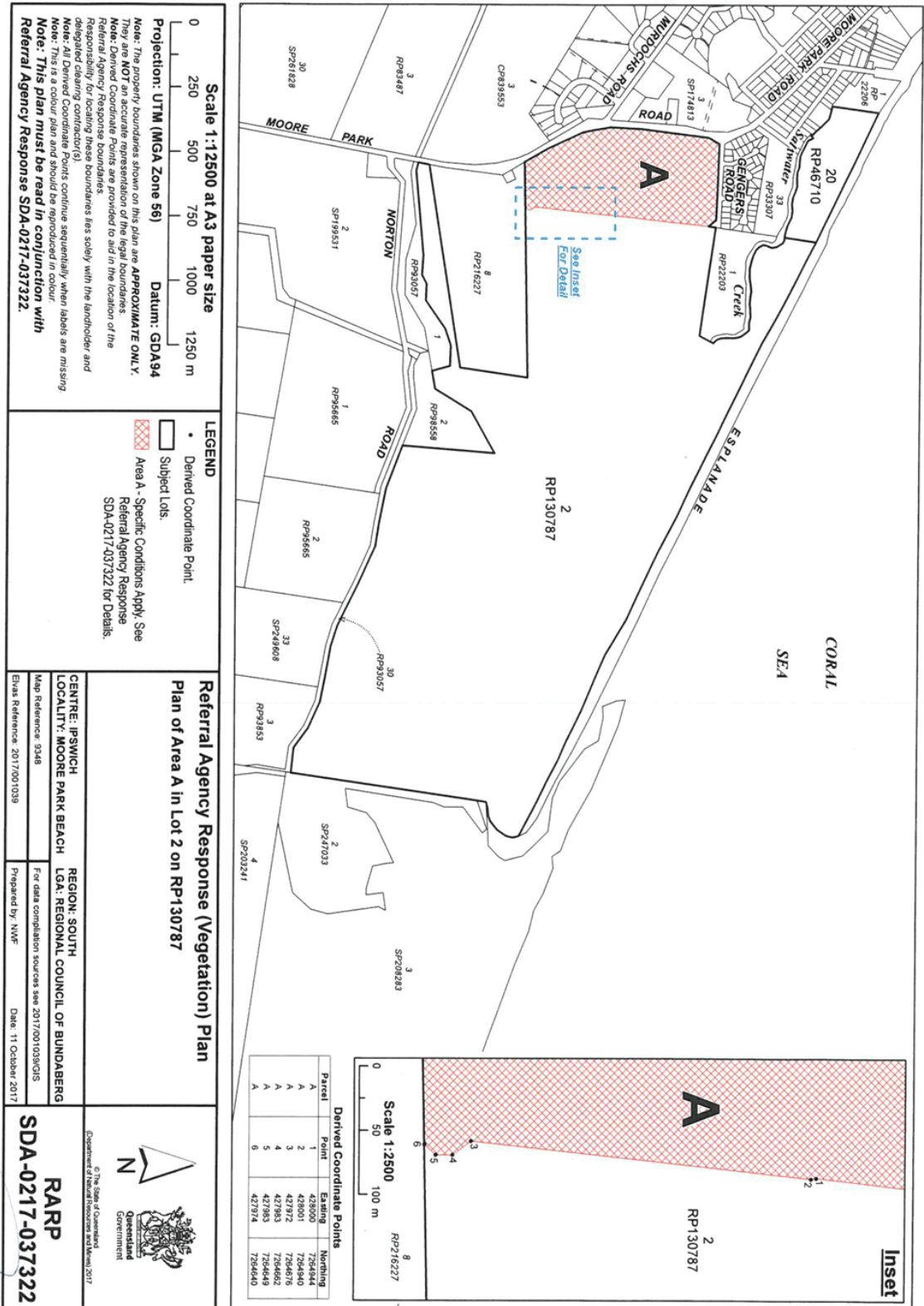
Reasons

1. Subject to the above condition, the application meets the relevant performance outcomes within the State Development Assessment Provisions (SDAP), version 1.10, module 8, commencing 5 December 2016.
2. Conditioning to the RARP is required to ensure clearing associated with the development is confined to the urban area.

5. Authorised Officer Signature:



Michael Watson
Manager, Natural Resource Assessment
South Region
Date: 20 October 2017



From: LAHEY Belinda
To: admin@insitesjc.com.au
Cc: [BRC CEO Incoming](#); insite@emailmyjob.com
Subject: DNRM's referral agency response for
Date: Tuesday, 24 October 2017 8:54:12 AM
Attachments: [image001.jpg](#)
[RARP SDA-0217-037322_signed.pdf](#)
[RAR SDA-0217-037322_signed.pdf](#)

DNRM Ref – 2017/001039

Council Ref – 325.2006.50477.2

Applicant Ref – Z14-032D

Description – Lot 2 RP130787 & Lot 20 RP46710

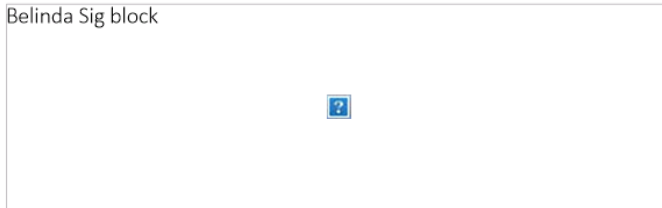
Good Morning,

Please find attached DNRM's Referral Agency Response and RARP.

Regards

Belinda

Belinda Sig block



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Department of
Environment and
Heritage Protection

**WRITTEN AGREEMENT FOR THE DEPARTMENT OF ENVIRONMENT AND HERITAGE
PROTECTION TO GIVE A LATE CONCURRENCE AGENCY RESPONSE**

- Proposed Development:**
1. Preliminary Approval for a Material Change of use (Residential A development) made assessable by the planning scheme – Preliminary approval overriding the planning scheme seeking endorsement of residential A development (refer Section 3.1.6 of the *Integrated Planning Act 1997*)
 2. Development Permit for a Reconfiguring of a lot (2 lots into 82 lots in 5 stages)

Real Property Description: Lot 20RP46710, 2RP13087

Street Address: Moore Park Road, Moore Park Beach QLD 4670
Maultby Street, Moore Park Beach QLD 4670

Assessment Manager ref.: 325.2006.50477.2

Local Government Area: Bundaberg Regional Council

BUNDABERG SUGAR LTD, as the applicant of the abovementioned development application, hereby agree to the concurrence agency response set out in the attached correspondence which includes the Department of Environment and Heritage Protection Concurrence Agency Conditions and Statement of Reasons dated 28 September 2017. This agreement is pursuant to Section 3.3.17(2) of the *Integrated Planning Act 1997*.

Name of Applicant BUNDABERG SUGAR LTD

Signature of Applicant [Signature]

Date 1/11/17



DEPARTMENT OF ENVIRONMENT AND HERITAGE PROTECTION
CONCURRENCE AGENCY CONDITIONS AND STATEMENT OF REASONS

Department of
Environment and
Heritage Protection

Proposed Development:

1. Preliminary Approval for a Material Change of use (Residential A development) made assessable by the planning scheme – Preliminary approval overriding the planning scheme seeking endorsement of residential A development (refer Section 3.1.6 of the *Integrated Planning Act 1997*)
2. Development Permit for a Reconfiguring of a lot (2 lots into 82 lots in 5 stages)

Real Property Description: Lot 20RP46710, 2RP13087

Street Address: Moore Park Road, Moore Park Beach QLD 4670
Maultby Street, Moore Park Beach QLD 4670

Assessment Manager ref.: 325.2006.50477.2

Local Government Area: Bundaberg Regional Council

No.	Conditions of Development	Timing	Justification
1	Development must be carried out generally in accordance with the following plan: • Insite SJC's ' <i>Plan of Proposed Boundary Reconfiguration</i> ' Plan Reference Z14-032F dated August 2017.	Prior to the commencement of use and to be maintained at all times.	The Department of Environment and Heritage Protections' assessment was carried out on the basis of the cited plan which detail how the development will be carried out.
2	Erosion and sediment control measures which are in accordance with the <i>Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association)</i> , are to be installed and maintained to prevent the release of sediment to waters.	For the duration of the works	To ensure the development avoids or minimises adverse impacts on coastal resources and their values.
3	In the event that the works cause disturbance or oxidisation of acid sulfate soil, the affected soil must be treated and thereafter managed (until the affected soil has been neutralised or contained) in accordance with the current <i>Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines</i> , prepared by the Department of Science, Information Technology, Innovation and the Arts, 2014.	Upon disturbance or oxidisation until the affected soil has been neutralised or contained.	To ensure any disturbance to acid sulfate soils is managed to prevent impacts to coastal environments.

**WRITTEN AGREEMENT FOR THE DEPARTMENT OF TRANSPORT AND MAIN ROADS
TO GIVE A LATE CONCURRENCE AGENCY RESPONSE**

Proposed Development: 1. Preliminary Approval for a Material Change of use (Residential A development) made assessable by the planning scheme – Preliminary approval overriding the planning scheme seeking endorsement of residential A development (refer Section 3.1.6 of the *Integrated Planning Act 1997*)

2. Development Permit for a Reconfiguring of a lot (2 lots into 82 lots in 5 stages)

Real Property Description: Lot 20RP46710, 2RP13087

Street Address: Moore Park Road, Moore Park Beach QLD 4670
Maultby Street, Moore Park Beach QLD 4670

Department ref.: TMR17-022344

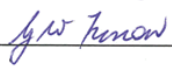
Assessment Manager ref.: 325.2006.50477.2

Local Government Area: Bundaberg Regional Council

BUNDABERG SUGAR LTD, as the applicant of the abovementioned development application, hereby agree to the concurrence agency response set out in the attached correspondence which includes the Department of Transport and Main Roads Concurrence Agency Conditions and Statement of Reasons dated 28 September 2017.

This agreement is pursuant to Section 3.3.17(2) of the *Integrated Planning Act 1997*.

Name of Applicant BUNDABERG SUGAR LTD

Signature of Applicant 

Date 17/10/17

Transport and Main Roads

**Department of Transport and Main Roads
Concurrence Agency Conditions and Statement of Reasons**

Proposed Development:

1. Preliminary Approval for a Material Change of use (Residential A development) made assessable by the planning scheme – Preliminary approval overriding the planning scheme seeking endorsement of residential A development (refer Section 3.1.6 of the *Integrated Planning Act 1997*)
2. Development Permit for a Reconfiguring of a lot (2 lots into 82 lots in 5 stages)
Lot 20RPA46710, 2RPA13087
Moore Park Road, Moore Park Beach QLD 4670
Maulby Street, Moore Park Beach QLD 4670
TMR17-022344

Real Property Description: Lot 20RPA46710, 2RPA13087
Street Address: Moore Park Road, Moore Park Beach QLD 4670
Our ref.: TMR17-022344
Assessment Manager ref.: 325.2006.50477.2
Local Government Area: Bundaberg Regional Council

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
1	<p>Development must be carried out generally in accordance with the following plan, except as modified by these concurrence agency conditions:</p> <ul style="list-style-type: none"> • Insite SJC's 'Plan of Proposed Boundary Reconfiguration' Plan Reference Z14-032F dated August 2017. 	Prior to the commencement of use and to be maintained at all times.	<p>The purposes of the <i>Transport Infrastructure Act 1994</i>. The Department of Transport and Main Roads' assessment of the development application was undertaken on the basis of the cited plan/s and/or</p>

Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
2	The preliminary approval for material change of use excludes proposed lots 100 and 101 as shown on Insite SJC's 'Plan of Proposed Lot Reconfiguration' Plan Reference Z14-032B dated February 2017.	At all times	The purposes of the <i>Transport Infrastructure Act 1994</i> (TIA). The Applicant, by way of email dated 10 April 2017 (from Randall Barrington at InsiteSJC), has confirmed that proposed lots 100 and 101 do not form part of the preliminary approval area sought under Section 3.1.6 of the <i>Integrated Planning Act 1997</i> .
Access (not including intersections)			
3	Direct vehicular access between Moore Park Road and the subject land is not permitted.	At all times	The purposes of the <i>Transport Infrastructure Act 1994</i> (TIA). This access is not permitted to ensure the safety and efficiency of the state-controlled road network. In particular, the access is available via the new internal road network.
Drainage			
4	(a) The management of stormwater (quantity and quality) post development must achieve a no worsening impact (on the pre-development condition) calculated for all events up to an including an	(a) & (b) Prior to the commencement of	The purposes of the <i>Transport Infrastructure Act 1994</i> (TIA)

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Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
	<p>1% Annual Exceedance Probability (AEP), Average Recurrence Interval (ARI) in accordance with the Department of Transport and Main Roads' <i>Road Drainage Manual</i>, the <i>Queensland Urban Drainage Manual</i>, <i>Environmental Protection Act 1994</i>, <i>Environmental Protection (Water) Policy 2009</i>. In particular, stormwater management for the development must ensure no worsening or actionable nuisance to the state-controlled road network caused by peak discharges, flood levels, frequency/duration of flooding, flow velocities, water quality, sedimentation and scour effects.</p> <p>(b) Any excavation, filling, paving, landscaping, construction or any other works to the land must not:</p> <ul style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the state-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; iii. surcharge any existing culvert or drain on the state-controlled road; iv. reduce the quality of stormwater discharge onto the state-controlled road. 	<p>use and to be maintained at all times</p>	<p>The safety and efficiency of state-controlled roads can be adversely affected by changes to stormwater runoff as a result of development.</p>
<p>Development Permit for Reconfiguring a Lot (2 lots into 87 lots in 5 Stages)</p>			
<p>Generally in accordance with Plans and Reports</p>			
<p>5</p>	<p>Development must be carried out generally in accordance with the following plan and reports, except as modified by these concurrence agency conditions:</p> <ul style="list-style-type: none"> • Insite SJC's '<i>Plan of Proposed Boundary Reconfiguration</i>' Plan Reference Z14-032F dated August 2017; • Alpha Acoustics' '<i>Traffic Noise Assessment</i>' Report Reference J1837 Revision 2 dated 17 July 2017; • RMA Engineers' '<i>Traffic Impact Assessment</i>' Report Project Reference 10048 Revision 3 dated 17 August 2017. 	<p>Prior to the submitting the Plan of Survey to the local government for approval for each stage of development and to be maintained at all times.</p>	<p>The purposes of the Transport Infrastructure Act 1994. The Department of Transport and Main Roads' assessment of the development application was undertaken on the basis of the cited plan/s and/or report/s which depict how the proposed development will be carried out.</p>

Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
Access (not including intersections)			
6	Direct vehicular access between Moore Park Road and the subject land is not permitted.	Prior to submitting the Plan of Survey to the local government for approval for each stage of development	<p>The purposes of the Transport Infrastructure Act 1994 (TIA).</p> <p>This access is not permitted to ensure the safety and efficiency of the state-controlled road network. In particular, the access is available via the new internal road shown on Insite SJC's 'Plan of Proposed Boundary Reconfiguration' Plan Reference Z14-032F dated August 2017.</p>
Intersections - Traffic Impacts			
7	<p>(a) The Moore Park Road and Murdochs Road intersection must be upgraded to a single lane roundabout standard with a centre island diameter of 14 metres (minimum) and include a new eastern leg approach from the development, as conceptually shown in RMA Engineers' Drawing Number T-SK0002 Issue B dated 16 August 2017.</p> <p>(b) The intersection upgrade in part (a) must be designed and constructed in accordance with the Department of Transport and Main Roads' <i>Road Planning and Design Manual 2nd Edition</i> and the Department of Transport and Main Roads' <i>Specifications and Standard Drawings Roads and Manual of Uniform Traffic Control Devices 2003</i>.</p> <p>(c) The intersection, and any associated road dedication from the subject land to accommodate the roundabout and all of its components must be provided by the applicant at no cost to the Department of Transport and Main Roads.</p> <p>(d) All adjustments and/or relocations to existing services within the</p>	<p>(a) – (d) Prior to submitting the Plan of Survey to the local government for approval for either Stage 2, 3, 4 or 5, whichever occurs first</p>	<p>The purposes of the Transport Infrastructure Act 1994 (TIA).</p> <p>The intersection upgrade is required as a result of the development and its associated traffic impacts to ensure the safety and efficiency of the state-controlled road network as detailed in RMA Engineers' 'Traffic Impact Assessment' Report Project Reference 10048 Revision 3 dated 17 August 2017.</p> <p>In accordance with Section 33 of the TIA, you must have written approval to carry out road works on a state-controlled road. These development conditions do not constitute such approval. You will need to contact the Department of Transport and Main Roads' Bundaberg Office to make an application for approval under section 33 of the TIA to carry out road works.</p>

Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
	state-controlled road as a result of the development are at the applicant's expense.		The Department of Transport and Main Roads' technical standards and publications can be accessed at www.tmr.qld.gov.au
Drainage			
8	<p>(a) The management of stormwater (quantity and quality) post development must achieve a no worsening impact (on the pre-development condition) calculated for all events up to an including an 1% Annual Exceedance Probability (AEP), Average Recurrence Interval (ARI) in accordance with the Department of Transport and Main Roads' <i>Road Drainage Manual</i>, the <i>Queensland Urban Drainage Manual</i>, <i>Environmental Protection Act 1994</i>, <i>Environmental Protection (Water) Policy 2009</i>. In particular, stormwater management for the development must ensure no worsening or actionable nuisance to the state-controlled road network caused by peak discharges, flood levels, frequency/duration of flooding, flow velocities, water quality, sedimentation and scour effects.</p> <p>(b) Any excavation, filling, paving, landscaping, construction or any other works to the land must not:</p> <ul style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the state-controlled road (Moore Park Road); ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road (Moore Park Road); iii. surcharge any existing culvert or drain on the state-controlled road (Moore Park Road); iv. reduce the quality of stormwater discharge onto the state-controlled road (Moore Park Road). 	(a) and (b) Prior to submitting the Plan of Survey to the local government for approval for each stage of development	<p>The purposes of the <i>Transport Infrastructure Act 1994</i>.</p> <p>The safety and efficiency of state-controlled roads can be adversely affected by changes to stormwater runoff as a result of development.</p>
Road traffic Noise			
9	(a) The development must incorporate noise attenuation measures consisting of a 2.1m high acoustic barrier as shown in Figure 4.1 of the Traffic Noise Assessment, prepared by Alpha Acoustics and given reference J1837 Revision 2 dated 17 July 2017. The acoustic barrier and	(a) and (b) At all times (c)	<p>The purposes of the <i>Transport Infrastructure Act 1994</i> (TIA).</p> <p>The development is creating a noise sensitive area in</p>

Page 5 of 7

Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
	<p>all of its components must be located wholly within the subject land.</p> <p>(b) The acoustic barrier (and/or associated earth mounds) recommended in the acoustic report referred to in part (a) must be designed and constructed in accordance with the Department of Transport and Main Roads' Traffic Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Road Traffic Noise Management: Code of Practice, The Department of Transport and Main Roads <i>Specifications and Technical Standards, Standard Drawings Manual and Road Planning and Design Manual 2nd Edition July 2013</i> and be provided at no cost to the Department of Transport and Main Roads.</p> <p>(c) The applicant must provide RPEQ certification that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.</p>	<p>Prior to submitting the Plan of Survey to the local government for approval for any lot or combination of lots within Stages 2, 3 4 or 5 of the development whichever occurs first</p>	<p>proximity to a state-controlled road and the proposed measures will minimise the road traffic noise impacts on the residential development.</p> <p>The Department of Transport and Main Roads' technical standards and publications can be accessed at www.tmr.qld.gov.au</p>



Adam Fryer
Senior Town Planner (Development Control)
 28 September 2017



Transport and Main Roads

<p>Advice for state controlled roads</p>	<p>Pursuant to Section 4.3.3 of the <i>Integrated planning Act 1997</i> it is a development offence to contravene a development approval, including any condition in the approval.</p> <p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works (i.e the proposed roundabout at the Moore Park Road/Murdochs Road intersection) on a state-controlled road. Please contact the Department of Transport and Main Roads' Bundaberg Office on (07) 4154 0200 or via email to WBB.IDAS@tmr.qld.gov.au and quote TMR17-22344 about the process in obtaining road works approval.</p> <p>The road works approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road works approval process takes time – please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining road works approval does not delay construction.</p> <p>A review of the development application identified that the subject land is partially located within a designated voluntary area of a <i>Transport Noise Corridor</i>. In this regard, where a property (or building) is located within the voluntary area (wholly or partly) of a <i>Transport Noise Corridor</i>, the building owner can choose to include the relevant noise category measures under Mandatory Part 4.4 of the <i>Queensland Development Code (QDC)</i>.</p> <p>For further information about voluntary noise corridors and the QDC, please contact the Department of Housing and Public Works on 13 74 68 or visit www.hpw.qld.gov.au</p>
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Department of
**Environment and
Heritage Protection**

Bundaberg Sugar Ltd C/- InsiteSJC
PO Box 1688
Bundaberg QLD 4670

Attention: Randall Barrington
Randall@insitesjc.com.au

Dear Sir

REQUEST TO GIVE LATE CONCURRENCE AGENCY RESPONSE

- Proposed Development:**
1. Preliminary Approval for a Material Change of use (Residential A development) made assessable by the planning scheme – Preliminary approval overriding the planning scheme seeking endorsement of residential A development (refer Section 3.1.6 of the *Integrated Planning Act 1997*)
 2. Development Permit for a Reconfiguring of a lot (2 lots into 82 lots in 5 stages)

Real Property Description: Lot 20RP46710, 2RP13087

Street Address: Moore Park Road, Moore Park Beach QLD 4670
Maultby Street, Moore Park Beach QLD 4670

Assessment Manager ref.: 325.2006.50477.2
Local Government Area: Bundaberg Regional Council

Reference is made to the following:-


- (a) The referral agency material for the development application described above which was received by the Department of Infrastructure Local Government and Planning (DILGP) under Section 3.3.3(1) of the repealed *Integrated Planning Act 1997* (IPA) on 2 March 2017;
- (b) The Information Request issued by the Department of Infrastructure Local Government and Planning (DILGP) dated 13 April 2017 (Ref: SDA-0217-037322); and
- (c) Insite SJC's letter dated 18 August 2017 (with attachments) being a response to DILGP's information request; and
- (d) DILGP's letter of 12 September 2017 (Ref: advising that the assessment (d) period was extended until 16 October 2017 pursuant to Section 3.3.14(3) of the repealed IPA.

Andrew Fielding
Department of Environment and
Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: 07 3330 6037
Email: andrew.fielding@ehp.qld.gov.au
Website www.ehp.qld.gov.au
ABN 46 640 294 485

It is noted that DILGP's letter to extend the assessment period is not relevant to the Department of Environment and Heritage Protection's assessment period. This is because under the provisions of the IPA, DILGP did not have jurisdiction to issue the extension notice on behalf of the department, and as such, the extension to the department's assessment period has not been duly extended as was intended by the department.

Section 3.3.17(1) of the IPA allows the department to give a late concurrence agency response for the development application if the applicant has given written agreement to the content of the response and the application has not yet been decided. An assessment of the proposed development has been undertaken against the provisions of the *Coastal Protection and Management Act 1995*. Based on this jurisdiction, the department proposes to give the attached concurrence agency response under section 3.3.17(1) of the IPA.

The department would appreciate if you would issue written agreement to this concurrence agency response at your earliest convenience. Please find attached a pro forma to assist you in providing this agreement. If you have any queries or wish to seek clarification about any of the details in this letter, please contact Andrew Fielding, Principal Environmental Officer, 33305357.

	1/11/17
Signature	Date

Amanda Gray
Department of Environment and Heritage Protection
Delegate of the administering authority
Coastal Protection and Management Act 1995

Enclosed

- (1) Pro forma - Written agreement for the Department of Environment and Heritage Protection to give a late concurrence agency Response.
- (2) Department of Department of Environment and Heritage Protection Concurrence Agency Conditions and Statement of Reasons)

Department of Environment and Heritage Protection



**DEPARTMENT OF ENVIRONMENT AND HERITAGE PROTECTION
CONCURRENCE AGENCY CONDITIONS AND STATEMENT OF REASONS**

Department of
**Environment and
Heritage Protection**

- Proposed Development:**
1. Preliminary Approval for a Material Change of use (Residential A development) made assessable by the planning scheme – Preliminary approval overriding the planning scheme seeking endorsement of residential A development (refer Section 3.1.6 of the *Integrated Planning Act 1997*)
 2. Development Permit for a Reconfiguring of a lot (2 lots into 82 lots in 5 stages)

Real Property Description: Lot 20RP46710, 2RP13087

Street Address: Moore Park Road, Moore Park Beach QLD 4670
Maultby Street, Moore Park Beach QLD 4670

Assessment Manager ref.: 325.2006.50477.2

Local Government Area: Bundaberg Regional Council

No.	Conditions of Development	Timing	Justification
1	Development must be carried out generally in accordance with the following plan: • Insite SJC's ' <i>Plan of Proposed Boundary Reconfiguration</i> ' Plan Reference Z14-032F dated August 2017.	Prior to the commencement of use and to be maintained at all times.	The Department of Environment and Heritage Protections' assessment was carried out on the basis of the cited plan which detail how the development will be carried out.
2	Erosion and sediment control measures which are in accordance with the <i>Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association)</i> , are to be installed and maintained to prevent the release of sediment to waters.	For the duration of the works	To ensure the development avoids or minimises adverse impacts on coastal resources and their values.
3	In the event that the works cause disturbance or oxidisation of acid sulfate soil, the affected soil must be treated and thereafter managed (until the affected soil has been neutralised or contained) in accordance with the current <i>Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines</i> , prepared by the Department of Science, Information Technology, Innovation and the Arts, 2014.	Upon disturbance or oxidisation until the affected soil has been neutralised or contained.	To ensure any disturbance to acid sulfate soils is managed to prevent impacts to coastal environments.



Department of
**Environment and
Heritage Protection**

**WRITTEN AGREEMENT FOR THE DEPARTMENT OF ENVIRONMENT AND HERITAGE
PROTECTION TO GIVE A LATE CONCURRENCE AGENCY RESPONSE**

- Proposed Development:**
1. Preliminary Approval for a Material Change of use (Residential A development) made assessable by the planning scheme – Preliminary approval overriding the planning scheme seeking endorsement of residential A development (refer Section 3.1.6 of the *Integrated Planning Act 1997*)
 2. Development Permit for a Reconfiguring of a lot (2 lots into 82 lots in 5 stages)

Real Property Description: Lot 20RP46710, 2RP13087

Street Address: Moore Park Road, Moore Park Beach QLD 4670
Maultby Street, Moore Park Beach QLD 4670

Assessment Manager ref.: 325.2006.50477.2

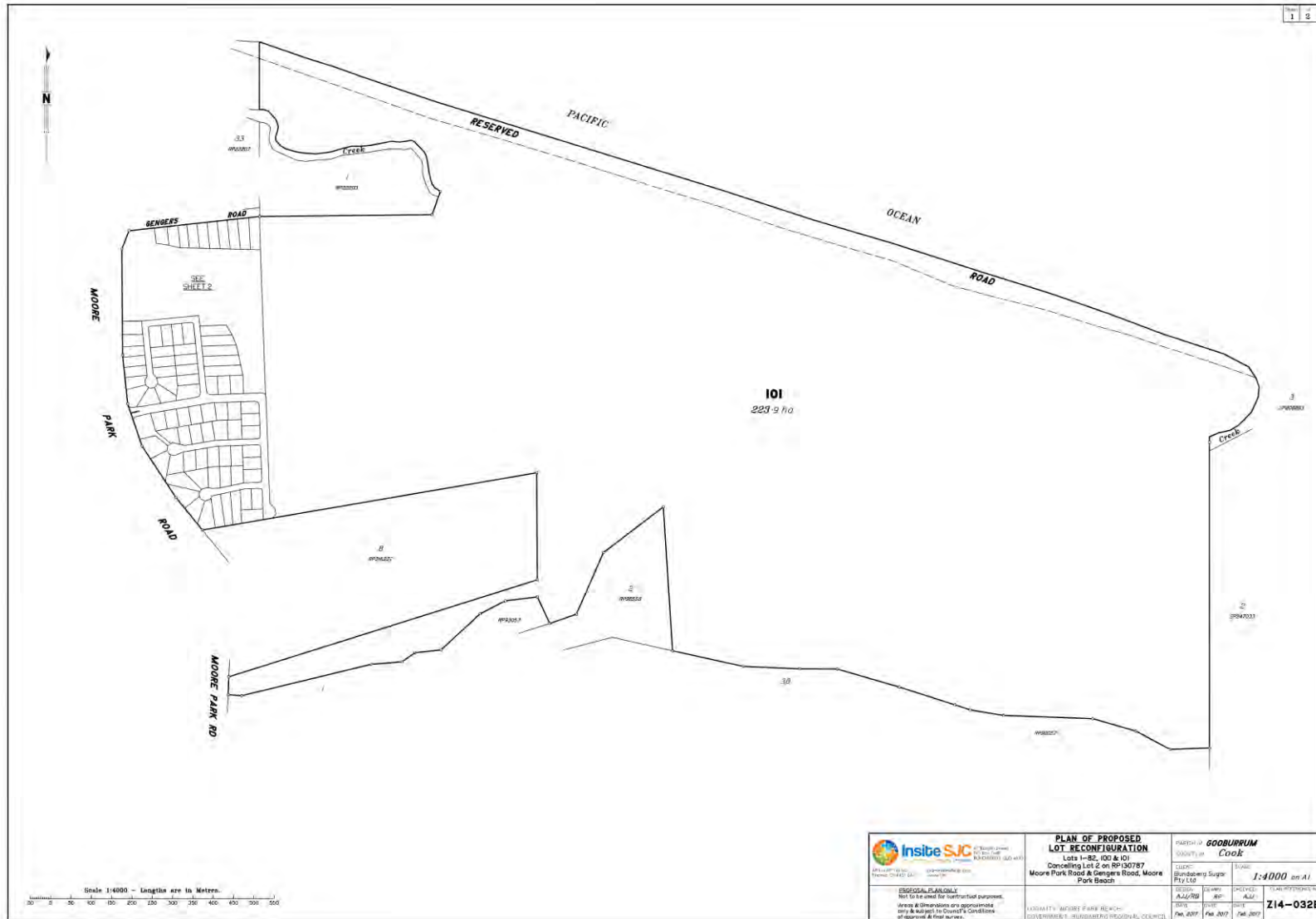
Local Government Area: Bundaberg Regional Council

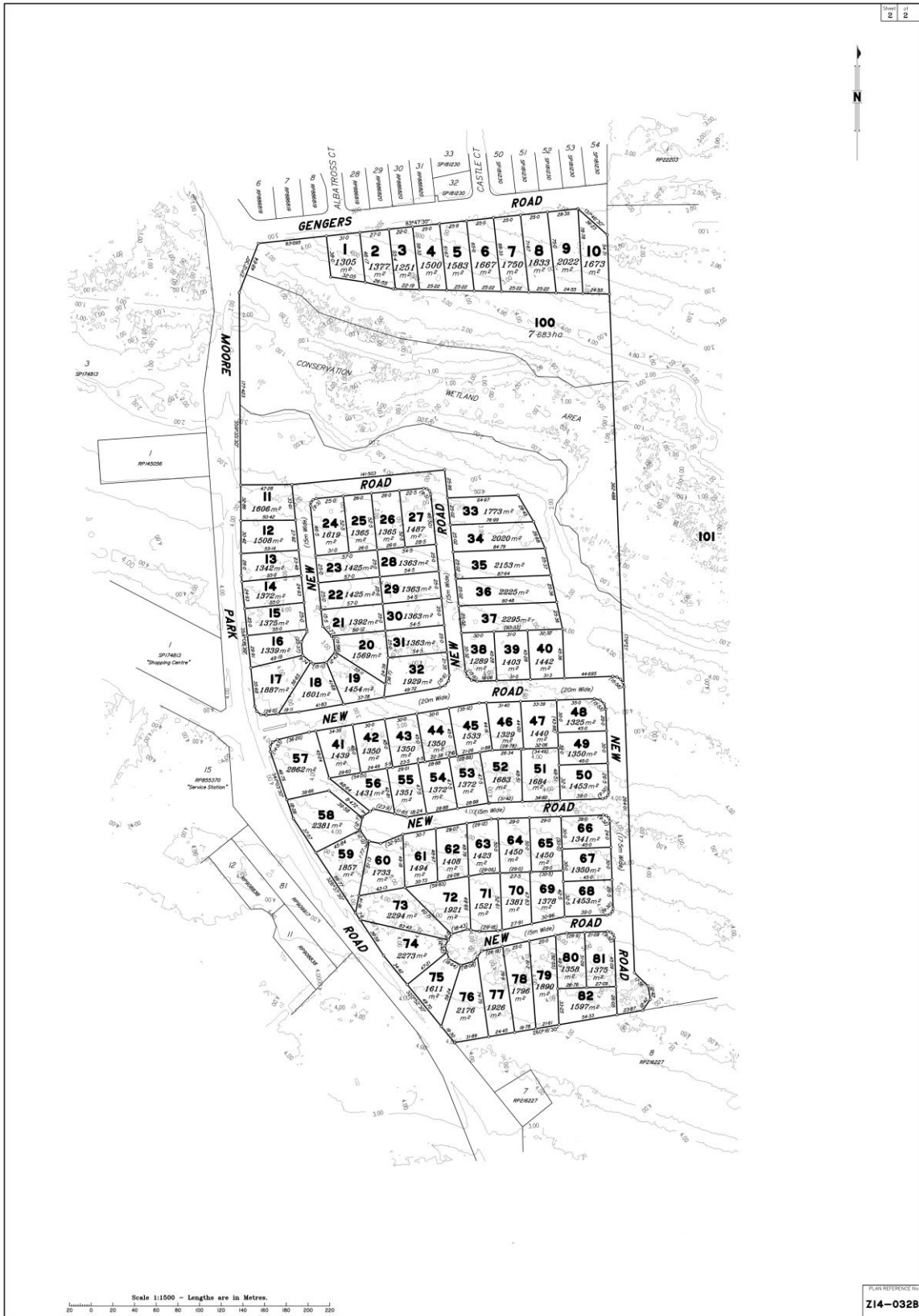
_____, as the applicant of the abovementioned development application, hereby agree to the concurrence agency response set out in the attached correspondence which includes the Department of Environment and Heritage Protection Concurrence Agency Conditions and Statement of Reasons dated 28 September 2017. This agreement is pursuant to Section 3.3.17(2) of the *Integrated Planning Act 1997*.

Name of Applicant _____

Signature of Applicant _____

Date _____







From: Peter Mulcahy
To: [Richard Jenner](#); [Erin Clark](#)
Cc: [Development](#)
Subject: Proposed MCU/ROL for Bundaberg Sugar at Moore Park Beach (325.2009.50477.2)
Date: Friday, 3 November 2017 9:19:57 AM
Attachments: [50477.2 - DNRM - Response - Bq Sugar - Moore Park Rd - 25102017.pdf](#)
[Agreement for DEHP late response.pdf](#)
[Applicant Agreement for DTMR late response dated 17 October 2017.pdf](#)
[fieldinga_11-1-2017_12-13-21.pdf](#)
[InsiteSJC Plan Reference Z14-032B Sheet 1 of 2 dated February 2017.pdf](#)
[InsiteSJC Plan Reference Z14-032B Sheet 2 of 2 dated February 2017.pdf](#)
[InsiteSJC Plan Reference Z14-032F dated August 2017.pdf](#)
[SL30_ Requesting applicants agreement late response_1.pdf](#)
[SL31_Confirmation to assessment manager Amended referral response late response_1.pdf](#)

Good Morning Richard/Erin,

Proposed Preliminary Approval for Material Change of Use (overriding the Planning Scheme under Section 3.1.6 of the *Integrated Planning Act 1997*)
Proposed Development Permit for Reconfiguration of a Lot (2 Lots into 82 Lots plus 2 balance areas)
Moore Park Road, Moore Park Beach (Lot 20 on RP46710 & Lot 2 on RP130787)

Council Reference: 325.2009.50477.2

I refer to the above application received by the Department of Infrastructure, Local Government and Planning (DILGP) on 2 March 2017.

Please find attached individual Concurrence Agency Responses from the following Departments:

- Department of Natural Resources and Mines
- Department of Transport and Main Roads
- Department of Environment and Heritage Protection

Given that this application is being assessed under the *Integrated Planning Act 1997* through the 'referral coordination' process, DILGP have no role in the assessment process beyond consolidating and sending a single Information Request.

Kind Regards,

Peter

Peter Mulcahy
Principal Planning Officer | Wide Bay Burnett
 Planning and Development Services | Southern Region

Department of Infrastructure, Local Government and Planning
 Level 1, 7 Takalvan Street Bundaberg QLD 4670
 p. 07 4331 5603 | e. peter.mulcahy@dilgp.qld.gov.au
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 ABN 72 427 835 198

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Resolution (No. 1) 2015

To: Bundaberg Sugar Limited

C/- InsiteSJC PO Box 1688 BUNDABERG 4670

Date of Issue:

Register No.: 331.2017.902.1

Land to which the Charge Applies

Address: Moore Park Road Moore Park QLD 4670

Property Description: RP130787/2

Development to which the Adopted Infrastructure Charge Applies

The adopted infrastructure charge applies to the following development type: Combined (ROL/MCU)

Development Approval No.: 325.2006.50477.2

Current amount of the Adopted Infrastructure Charge

The adopted infrastructure charge has been calculated in accordance with the method outlined in the Bundaberg Regional Council Adopted Infrastructure Changes Resolution (No.1) 2015 and Chapter 4 of the Planning Act 2016.

<i>Total Adopted Infrastructure Charge applicable to this development =</i>	\$1,230,000.00
<i>Total Offset applicable to this development =</i>	n/a
<i>Total Amount Payable =</i>	\$1,230,000.00

(as at date of issue)

Please see Schedule 1 of this notice for the detailed calculation of total amount payable and offset.

Refund

Please see Schedule 1 of this notice for the detailed calculation of any refund.

<i>Total refund applicable to this development =</i>	n/a
<i>Refund is to be paid no later than:</i>	n/a

Payment of the Adopted Infrastructure Charge

- The **due date for payment** of the *adopted infrastructure charge* is:
 - earlier of before change of use happens or local government approves the plan of subdivision for each stage.
- Interest at 11% per annum, calculated daily, will be applied to overdue payments.
- The charge is to be paid to **Bundaberg Regional Council**. Please contact Bundaberg Regional Council, Development Assessment Team, prior to making payment.
- Please include a copy of this Notice with payment.

Automatic Increase

The charges are subject to an automatic increase in accordance with Bundaberg Regional Council Adopted Infrastructure Changes Resolution (No.1) 2015. Council's adopted infrastructure charge is to automatically increase from the time the charge is levied to the time the charge is paid. As per section 114 of Planning Act 2016 this automatic increase provision is calculated as follows:

- If the duration of time between the date the charge is levied to the date the charge is paid is less than or equal to one calendar year, then there is no automatic increase. Therefore the adopted infrastructure charge payable is equal to the charge amount at the time the charge is levied; or
- If the duration of time between the date the charge is levied to the date the charge is paid is greater than one calendar year, then the automatic increase provision is an amount representing the increase in the PPI index. The increase in PPI index is calculated for the period starting on the day the charge is levied and ending on the day the charge is paid, adjusted by reference to the 3-yearly PPI index average. Where the 3-yearly PPI index average means the PPI index smoothed in accordance with the 3-year moving average quarterly percentage change between quarters. Therefore the automatic increase provision is calculated as shown in equation 1 below:



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automatic increase provision = $\frac{\text{Smoothed PPI (paid date)}}{\text{Smoothed PPI (levied date)}}$ (1)

Where: *Smoothed PPI (paid date)* = 3 yearsly smoothed PPI at time the charge is paid
= average (12 previously published PPI figures relative to paid date)
Smoothed PPI (levied date) = 3 yearsly smoothed PPI at time the charge is levied
= average (12 previously published PPI figures relative to levied date)

The *adopted infrastructure charge* payable is equal to the charge amount at the time the charge is levied multiplied by the automatic increase provision amount as shown in equation 2 below:

adopted infrastructure charge payable = *levied charge x automatic increase provision*(2)

Finally, if after applying the automatic increase provision the *adopted infrastructure charge payable* is:

- (a) more than the maximum adopted charge that Council could have levied for the development at the time the charge is paid, then the adopted infrastructure charge payable is the maximum adopted charge for the development; or
- (b) less than the charge amount at the time the charge is levied, then the *adopted infrastructure charge* payable is the charge amount at the time the charge is levied.

Other Important Information

1. PAYMENT

This notice is due and payable by the due date shown. Cheques, money orders or postal notes should be made payable to Bundaberg Regional Council and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

2. GOODS AND SERVICES TAX

The federal government has determined that rates and utility charges levied by a local government will be GST exempt. Accordingly, no GST is included in this infrastructure charges notice.

3. INFRASTRUCTURE CHARGES ENQUIRIES

Enquiries regarding this infrastructure charges notice should be directed to Council's Development Assessment Team on telephone 1300 883 699 during office hours or e-mail: duty_planner@bundaberg.qld.gov.au

Notice is hereby given under the *Planning Act 2016* and the *Local Government Act 2009* that the adopted infrastructure charges notice is levied by the Bundaberg Regional Council on the described land. The adopted infrastructure charge is DUE AND PAYABLE BY THE ABOVE DUE DATE. The adopted infrastructure charge plus any arrears and interest may be recovered by legal process without further notice if unpaid after the expiration of the DUE DATE as the charge is deemed to be overdue. STEPHEN JOHNSTON, CHIEF EXECUTIVE OFFICER

Michael Ellery
Group Manager - Development



ADOPTED INFRASTRUCTURE CHARGES NOTICE
 SCHEDULE 1 – Calculation of Current Charges, Offsets and Refunds

PO Box 3130, BUNDABERG QLD 4670
 Local Call 1300 883 699 | Fax (07) 4150 5410
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Applicant: Bundaberg Sugar Limited
Address: C/- InsiteSJC PO Box 1688 BUNDABERG 4670
Site address: Moore Park Road Moore Park QLD 4670
Plan/Lot: RP130787/2

Development Type: Combined (ROL/MCU)
Dev Approval No.: 325.2006.50477.2
Register No.: 331.2017.902.1

Prepared by: Adam Johnston
Authorising Officer: Michael Ellery
Inside PIA: No

Adopted Infrastructure Charges: \$ 1,230,000.00
Offset: n/a
Extra Payment Condition: n/a

Total Amount Payable: \$ 1,230,000.00

Summary of the Adopted Infrastructure Charges

Development Type	Charge Type	Infrastructure Charge Area	Use category	Use	Charge category	Charge per dwelling or lot or bedroom or tent or cabin	Charge per m² GFA	Charge per m² impervious area	Dwellings or lots or bedrooms or tents or cabins	GFA (m²)	Impervious Area (m²)	Discount category	Discount	Subtotal
ROL	New	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ 15,000.00	n/a	n/a	84			n/a	0%	\$ 1,260,000.00
ROL	Existing credit	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ (15,000.00)	n/a	n/a	2			n/a	0%	\$ (30,000.00)

Adopted Infrastructure Charges Total: \$ 1,230,000.00

Stage Breakdown of Adopted Infrastructure Charges

Stage	Dev Type	Charge Type	Infrastructure Charge Area	Use category	Use	Charge category	Charge per dwelling or lot or bedroom or tent or cabin	Charge per m² GFA	Charge per m² impervious area	Dwellings or lots or bedrooms or tents or cabins	GFA (m²)	Impervious Area (m²)	Discount category	Subtotal	Stage Total
1	ROL	New	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ 15,000.00	n/a	n/a	8			n/a	\$ 120,000.00	
1	ROL	Existing credit	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ (15,000.00)	n/a	n/a	1			n/a	\$ (15,000.00)	\$ 105,000.00
2	ROL	New	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ 15,000.00	n/a	n/a	22			n/a	\$ 330,000.00	
2	ROL	Existing credit	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ (15,000.00)	n/a	n/a	1			n/a	\$ (15,000.00)	\$ 315,000.00
3	ROL	New	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ 15,000.00	n/a	n/a	17			n/a	\$ 255,000.00	
3	ROL	Existing credit	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ (15,000.00)	n/a	n/a	1			n/a	\$ (15,000.00)	\$ 240,000.00
4	ROL	New	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ 15,000.00	n/a	n/a	23			n/a	\$ 345,000.00	
4	ROL	Existing credit	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ (15,000.00)	n/a	n/a	1			n/a	\$ (15,000.00)	\$ 330,000.00
5	ROL	New	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ 15,000.00	n/a	n/a	18			n/a	\$ 270,000.00	
5	ROL	Existing credit	Hinterland Partially Serviced (no wastewater)	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ (15,000.00)	n/a	n/a	2			n/a	\$ (30,000.00)	\$ 240,000.00



ADOPTED INFRASTRUCTURE CHARGES NOTICE
SCHEDULE 1 – Calculation of Current Charges, Offsets and Refunds

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Stage Breakdown Total: \$ 1,230,000.00

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ADOPTED INFRASTRUCTURE CHARGES NOTICE INFORMATION NOTICE

1. REASON FOR DECISION

This notice has been issued pursuant to the Bundaberg Regional Council Adopted Infrastructure Charges Resolution (No. 1) 2015 and Chapter 4 of the Planning Act 2016.

2. APPEAL RIGHTS

The recipient of the infrastructure charges notice may appeal to the Planning and Environment Court and, for certain matters, to a tribunal in accordance with Chapter 6 of the *Planning Act 2016*.

CHAPTER 6, PART 1 APPEAL RIGHTS

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note — See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.



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- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

SCHEDULE 1 APPEALS

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—



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- (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to—
 - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (ii) the Plumbing and Drainage Act, part 4 or 5; or
 - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
 - (i) a decision to give an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter that, under another Act, may be appealed to the tribunal; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.



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- (6) In each table—
- (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

Extract of Schedule 1, Table 1 of the Planning Act 2016

Table 1			
Appeals to the P&E Court and, for certain matters, to a tribunal			
<p>4. Infrastructure charges notices</p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <ul style="list-style-type: none"> (i) the application of the relevant adopted charge; or <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect 'use category', under a regulation, to the development <p>(ii) the working out of extra demand, for section 120; or</p> <p>(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the Infrastructure charges notice	The local government that gave the infrastructure charges notice	-	-

Richard Jenner

From: Randall Barrington <Randall@insitesjc.com.au>
Sent: Thursday, 30 November 2017 12:36 PM
To: Richard Jenner; Adam Johnston
Cc: Nixon, Gary; Joseph Saunders; Jodi Pflugst; insite@emailmyjob.com
Subject: Z14-032D DRAFT conditions Bundaberg Sugar, Moore Park

Hi Richard

Thank you for the opportunity to comment on the draft conditions package. On behalf of the applicant, we proffer the following comments-

Condition 4

Our client advises there is no irrigation infrastructure on the development footprint land and consequently this condition can be deleted.

Conditions 6 and 7

Pursuant to our discussions, these conditions will be replaced with a condition that introduces the flexibility to provide street planting and that any such planting should be approved by Council. Reference to stormwater drainage areas will be removed.

Condition 10

This condition will be clarified to confirm that a looped system at a cul-de-sac head is satisfactory (rather than having to punch through allotments).

Condition 11

I believe Council's Manager Water and Sewerage has confirmed our view that Council has previously agreed to change the way in which it delivers potable water to the township of Moore Park. I believe it is uncertain when Council might undertake the necessary works. In the event that the proposed development occurs before Council undertakes the work, the developer will be required to undertake the work. At this stage the specific works are not known and need to be the subject of further design work on the part of Council.

Because the work will benefit the whole of the township of Moore Park, our view is that it would be trunk infrastructure and consequently should be able to be offset against infrastructure charges. Our view is that an 'Advice' should be introduced that foreshadows the work, to be confirmed at Operational Works stage, is trunk infrastructure and can be offset against infrastructure charges via infrastructure agreement.

Condition 13

Technically this condition requires the developer to provide the required on site waste water disposal systems. I appreciate this was not the intention of the condition. Two options to remove the present ambiguity would be to remove the condition and place it as an 'Advice' or qualify the condition by making reference to 'Dwellings shall be provided with

Condition 14

We recommend the condition be amended to refer to 'Q100ARI plus climate change'. We acknowledge this is a higher standard of construction which will add a cost burden on the applicant.

Condition 18

The area where Council wants to ensure there is no fill is in a defined area (on Plan Z14-032B No.7) within the proposed Conservation Wetland Area. In the interest of making the condition more clear, Council will amend it to refer to no works being undertaken within the riverine defined flood level area as identified in the Conservation Wetland Area.

Condition 19

We are unclear what a 'maintainable invert' is and seek Council's clarification of same. In the process, we specifically seek confirmation that it does not trigger a need for a concrete invert length of any stormwater drain (necessary built infrastructure) along the southern boundary of proposed Lot 101. This would be an unreasonably onerous burden given the length of any such drain and the sand geology of this area. We also question the need to access the drain in wet periods.

Condition 20(a)

Adam and Joe need to discuss this requirement. We believe it is unreasonably onerous since the DRAINS modelling already undertaken by RMA indicates the development can manage stormwater without adverse impacts. To now require an XP model (in the absence of Council having the base model) places an unnecessary and unreasonable burden upon the applicant.

Condition 20(c)

We believe this is unnecessary as it presupposes a need to amend a DNRM condition when exemptions under the VMA provide for the construction of 'necessary built infrastructure' (and 10m wide clearing of boundary fence lines).

Condition 20(e)

We question the need for this condition when no filling (as confirmed by Council's Condition 18) is proposed within the riverine flood area.

Condition 24

Adam and Joe to talk about the need for speed restriction devices.

Condition 26(b)

Adam and Joe to talk about the need for kerb and channelling throughout the development. The flat topography means there will be small sections where we need to build a flush kerb as a pavement edge restraint and sheet to an open swale. Perhaps the condition could refer to kerb and channelling to roadways (not ALL roadways) with details to be provided at Operational Works stage?

Condition 26(c)

Should probably refer to Lots 8 to 36, Lots 50 to 66 (where reference to Lots 50 and 66 is a reference to their respective frontages to the cul-de-sac) and Lots 68 to 81 (where reference to Lots 68 and 81 is a reference to their respective frontages to the cul-de-sac).

Condition 26(d)

Should probably refer to the roadway to proposed Lots 40 to 49, Lots 50 and 66 (eastern boundary), Lot 67, Lots 68 and 81 (eastern boundary) and Lot 82 must as a minimum comply with the standards specified in Table SC6.3.3.4.4.1 of the *planning scheme policy for development works – Access Street* road. Except that the road reserve may reduce to 17.5 metres east of proposed lot 47.

Condition 39

Should exclude Lots 80 and 81 (with same reflected in the Property Note).

Condition 41

The applicant cannot accept dedication of proposed Lot 101. The development does not give rise to the need to dedicate this land – nothing about the proposed subdivision necessitates the dedication of this area. Consequently the condition is unnecessary, unreasonable and an unjustifiably onerous burden on the applicant. Our view is that the requirement to dedicate proposed Lot 101 is ultra vires.

Advices 'E' & 'F'

We question the need to reference fire services and sewer infrastructure respectively in these advices.

All the best

Randall

PS Joe/Gary, if I have accidentally misrepresented anything, please correct me as soon as possible. Thanks for that.

From: Richard Jenner [mailto:Richard.Jenner@bundaberg.qld.gov.au]
Sent: Wednesday, 29 November 2017 9:12 AM
To: Randall Barrington <Randall@insitesjc.com.au>
Subject: DRAFT conditions Bundaberg Sugar

Hi Randall

Further to my email yesterday please find attached DRAFT conditions for the Bundaberg Sugar project. To align with the Agenda finalisation I would request that you provide any written comments back to me by midday tomorrow (Thursday 30.11.17), happy to also take a call to clarify anything.

I will give you a call shortly to introduce the document.

Regards
Richard

RICHARD JENNER
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Item

12 December 2017

Item Number:	File Number:	Part:
N1	A2815121	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Mayor's Annual Christmas Appeal

Report Author:

Bruce Green, Operational Supervisor Community Development

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our Community - 1.4 Community programs, projects and events that facilitate and encourage social connectedness and community wellbeing.

Background:

In previous years Council has made a donation to the Mayor's Annual Christmas Appeal. Direction is sought to continue the tradition of this donation. Provision has been made in the 2017/2018 Events Budget to make a donation of \$2,500.

Associated Person/Organization:

Bruce Green, Operational Supervisor Community Development

Consultation:

Portfolio Spokesperson: Cr Judy Peters

Divisional Councillor: Cr JM Dempsey

Legal Implications:

There appear to be no legal implications.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

Provision has been made in the 2017/2018 Budget for this donation.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

- Yes
- No

Attachments:

Nil

Recommendation:

That a donation of \$2,500 be provided to the 2017 Mayor's Christmas Appeal.



Item

12 December 2017

Item Number:	File Number:	Part:
N2	A1015560	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Firehouse Potters Inc Lease Renewal

Report Author:

Bruce Green, Operational Supervisor Community Development

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our Community - 1.3 Community places, spaces and facilities that promote and support safe, active and healthy community life.

Background:

Council has received a request from the existing lessee of Lot 12 on SP116277 (refer attached map) to renew their expiring 10 year lease for a further 10 years (refer attached letter). The existing lease expires 31 December 2017 with options of a further 2 x 2 years, however, Firehouse Potters Inc would prefer to enter into a new lease for another 10 years and have agreed to pay legal and title registration costs.

Although it has not cost Council very much in the last few years in maintaining the building situated on Lot 12 on SP116277, it is in average condition and will need more maintenance, particularly painting in the near future. The lessee may be able to secure funding in years to come to support Council in maintaining these premises.

Presently, the lease payment is \$1 per annum payable on demand. It is suggested that this be increased to \$55 per annum to bring it into line with similar leases.

Associated Person/Organization:

Kay Van Roden, President Firehouse Potters Inc

Consultation:

Divisional Councillor: Cr Bill Trevor

Nathan Powell, Property Leasing Officer; Rachael Brauer, Facilities Coordinator

Legal Implications:

Where Council agrees with the below recommendation, there is no legal implications as Local Government Regulations 1.c.iii state that Council does not need to go out to tender if the lease is being renewed with the existing tenant.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There appear to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

Yes

No

Attachments:

- [↓1](#) Firehouse Potters Inc Lot 12 on SP 116277
- [↓2](#) Request for Lease Renewal

Recommendation:

That the Chief Executive Officer be authorised to finalise a 10 year term lease renewal to Firehouse Potters Inc, over Lot 12 on SP116277, Churchill Street, Childers

- subject to Council's standard terms and conditions, with an annual lease fee of \$55 per annum being paid, including the Group meeting all service charges (water, sewerage, waste) together with all legal costs associated with the lease renewal.



Firehouse Potters Inc.
89A Churchill Street,
Childers 4660

To: Cr Judy Peters
Community and Cultural Services\Div 9
Bundaberg Regional Council
PO Box 3130
BUNDABERG 4670

August 28, 2017

Firehouse Potters Inc. lease renewal
(Lot 12 on SP116277, County Cook)

Dear Cr Peters,

The Firehouse Potters are seeking to renew our lease of the Old Childers Firehouse with Bundaberg Regional Council. Our current 10 year lease finishes in November this year and we seek to renew this lease, in the anticipation that Council will consider to renew at a similarly generous rate (currently \$1/year) or similar.

Our not-for-profit pottery club has been continuously operational in Childers for some 34 years and boasts a growing membership of enthusiastic potters and artists, from beginners to professionals. We believe we are a strong community group whose members contribute to the broader community and provide an affordable teaching and social venue for pottery enthusiasts.

The Firehouse Potters are strongly involved in the Childers district community and will continue to do so. The club opens and demonstrates as part of the Multicultural Festival and other similar district events (Coalfest etc), and participates in many district events. Shared gallery exhibitions are traditionally organised with the Bundaberg potters and the club promotes art and pottery through workshops and pot-ins both independently and as part of the broader Wide Bay Burnett Potters Association group. Shelving, tables and other club furnishings/tools are also lent to other community groups to support their endeavours.

The club has worked with Council employees who assist with repairs and carry out various safety checks, and appreciate the association we have enjoyed to date.

We look forward to meeting with or hearing from Council regarding our on-going lease arrangement.

Yours Sincerely



Wendy Smith, on behalf of Firehouse Potters Inc.
(Secretary)