



**AGENDA FOR ORDINARY MEETING
TO BE HELD IN COUNCIL CHAMBERS, BUNDABERG
ON TUESDAY 27 FEBRUARY 2018, COMMENCING AT 10.00 AM**

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**Item****27 February 2018**

Item Number:	File Number:	Part:
C1	.	COUNCILLORS

Portfolio:

Councillors

Subject:

Customer Satisfaction Survey

Report Author:

Greg Barnes, Cr

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our People, Our Business - 3.5 Responsive customer service that meets the needs of our community and supports Council delivery of services.

Background:

Following the 2008 Local Government amalgamations Bundaberg Regional Council commissioned Market Facts Pty Ltd to conduct Customer Satisfaction Surveys in 2009, 2010 & 2014.

It has now been some four years since the last survey was conducted and it would seem appropriate and in the interests of best practice to conduct a similar survey to compare the community's perception of Council's current overall performance with those of previous years.

Attachments:

Nil

Notice of Motion:**That:-**

1. **Council commission an independent Customer (Community) Satisfaction Survey to gauge the community's degree of satisfaction regarding the services that it provides across the region;**
2. **subject to Council's Procurement Policy, such a survey be conducted by, or in a similar manner to, previous surveys conducted by Market Facts Pty Ltd in 2009, 2010 & 2014 in order to provide an accurate comparison of Council's delivery performance over the interim period.**

**Item****27 February 2018**

Item Number:	File Number:	Part:
E1	.	FINANCE

Portfolio:

Organisational Services

Subject:

Financial Summary as at 31 January 2018

Report Author:

Anthony Keleher, Chief Financial Officer

Authorised by:

Amanda Pafumi, 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 31 January 2018.

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 31 January 2018

Recommendation:

That the Financial Summary as at 31 January 2018 (as detailed on the 16 pages appended to this report) – be noted by Council.

Financial Summary
as at 31 Jan 2018

	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	
Progress check - 59%																
Recurrent Activities																
<i>Revenue</i>																
General Rates and Utility Charges	147,986,606	152,294,430	97%	77,287,467	83,517,400	93%	14,652,955	14,369,000	102%	27,738,963	27,435,750	101%	28,307,221	26,972,280	105%	
Less: Discounts and pensioner remissions	(4,980,782)	(8,327,900)	60%	(4,430,557)	(7,739,900)	57%	(188,035)	(200,000)	94%	(205,055)	(218,500)	94%	(157,135)	(169,500)	93%	
Fees and Charges	143,005,824	143,966,530	99%	72,856,910	75,777,500	96%	14,464,920	14,169,000	102%	27,533,908	27,217,250	101%	28,150,086	26,802,780	105%	
Interest Revenue	14,419,853	24,723,950	58%	10,265,183	18,171,402	56%	2,641,060	4,308,348	61%	663,040	1,027,500	65%	850,570	1,216,700	70%	
Grants, Subsidies & Donations	1,488,687	3,418,927	44%	544,307	1,457,327	37%	150,472	175,000	86%	150,730	691,600	22%	643,178	1,095,000	59%	
Sale of Developed Land Inventory	4,988,639	8,453,754	59%	4,979,004	8,444,119	59%	4,487	4,487	100%	5,148	5,148	100%	-	-	-	
Total Recurrent Revenue	163,972,467	180,563,161	91%	88,714,068	103,850,348	85%	17,260,939	18,656,835	93%	28,352,826	28,941,498	98%	29,643,834	29,114,480	102%	
<i>less Expenses</i>																
Employee Costs	35,688,893	67,672,294	53%	27,993,322	53,893,963	52%	2,911,526	5,021,201	58%	2,663,733	4,858,050	55%	2,120,312	3,899,080	54%	
Materials and Services	30,711,835	57,405,359	53%	18,585,386	32,124,583	58%	4,866,857	10,475,413	46%	3,017,341	7,156,549	42%	4,242,251	7,648,814	55%	
Finance Costs	1,811,454	4,015,025	45%	780,034	1,645,373	47%	395,991	762,650	52%	537,244	1,295,402	41%	98,185	311,600	32%	
Depreciation	25,712,780	44,228,080	58%	18,849,558	32,720,287	58%	552,718	949,058	58%	3,259,304	5,115,875	64%	3,051,200	5,442,860	56%	
Total Recurrent Expenditure	93,924,962	173,320,758	54%	66,208,300	120,384,206	55%	8,727,092	17,208,322	51%	9,477,622	18,425,876	51%	9,511,948	17,302,354	55%	
Operating Surplus	70,047,505	7,242,403		22,506,568	(16,533,858)		8,533,847	1,448,513		18,875,204	10,515,622		20,131,886	11,812,126		
<i>less Transfers to</i>																
Restricted Capital Cash	15,002,553	3,876,793	-	-	-	-	-	-	-	15,002,553	3,876,793	-	-	-	-	
NCP Transfers	1	-	(7,707,345)	(13,212,591)	(1,156,317)	(1,982,258)	(3,872,651)	6,638,629	4,991,012	8,556,020						
Total Transfers	15,002,554	3,876,793		(7,707,345)	(13,212,591)		(1,156,317)	(1,982,258)		18,875,204	10,515,622		4,991,012	8,556,020		
Movement in Unallocated Surplus	55,044,951	3,365,610		30,213,913	(3,321,267)		9,690,164	3,430,771		-	-	-	15,140,874	3,256,106		
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)	70,570,218	18,890,877		25,833,990	(7,701,190)		15,342,344	9,082,951		3	3		29,393,881	17,509,113		
Capital Activities																
<i>Council's Capital Expenditure (Excludes Donated Assets)</i>																
Council Expenditure on Non-Current Assets	52,196,108	128,103,309	41%	32,218,564	85,090,701	38%	1,721,800	5,148,550	33%	15,932,236	31,148,666	51%	2,323,508	6,715,392	35%	
Loan Redemption	2,846,658	6,371,256	45%	1,817,304	4,132,190	44%	237,246	503,723	47%	643,637	1,450,033	44%	148,471	285,310	52%	
Total Capital Expenditure	55,042,766	134,474,565	41%	34,035,868	89,222,891	38%	1,959,046	5,652,273	35%	16,575,873	32,598,699	51%	2,471,979	7,000,702	35%	
Cash																
Opening balance	106,021,236	106,021,236														
Movement - increase/(decrease)	(12,496,700)	(24,364,384)														
Closing balance	93,524,536	81,656,852														

Further to the Financial Summary Report as at 31 January 2018, the following key features are highlighted. The following figures are based on the 2nd Quarter Amended Budget.

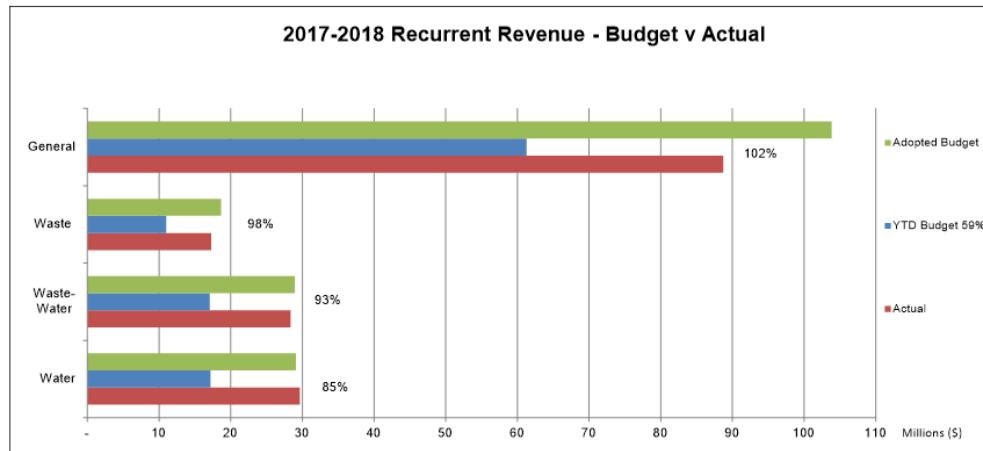
Recurrent Revenue

Rates revenue is slightly less than budget. Council ran the 2nd half-year levy in late January. Council will receive further rate income in the coming months through pre-payments.

Fees and charges are tracking on budget.

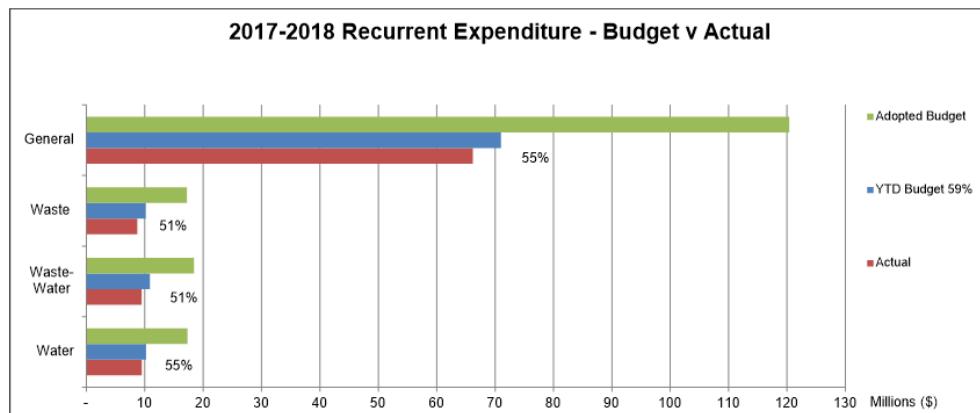
Interest revenue is trending below budget. This is due to significant investments being made for longer terms when rates revenue was received in September. These will mature in February and March, and the revenue will be recognised at that time.

Grants, subsidies and donations are tracking on budget.



Recurrent Expenditure

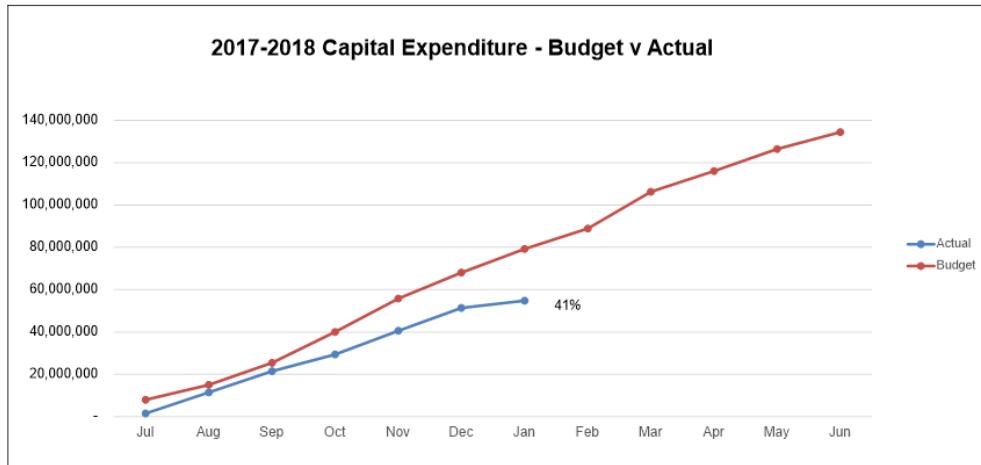
- Employee costs are tracking slightly lower than budget when compared to the number of pay periods processed to date. Employee costs are expected to increase over the next six months with the continued appointment of staff to vacant and new positions. Budgeted employee costs are being reviewed during the 3rd quarter and any savings at that time will be recognised in the 3rd quarter Budget Review.
- Materials and services are tracking lower than budget. This is partly due to the Christmas shutdown for outside staff during January. Materials and services will continue to be monitored in coming months. Similarly, any savings in materials and services following a review of budgets will be recognised in the 3rd quarter Budget Review.
- Finance costs to date are less than the YTD budget due to interest expense on the quarterly March loan repayment and interest on the proposed new loans totalling \$31.7 million not yet being incurred. This variation is anticipated to resolve in coming months as loan proceeds are drawn down for Rubyanna Waste Treatment Plant
- The budgeted depreciation expenditure is apportioned evenly across the 12 months of the year and is processed every month.



Capital Expenditure

Capital Expenditure is tracking lower than the budget forecast due to the rescheduling of work associated with the significant rain events during the month of October and the Christmas shutdown by contractors during January. Reprovision of capital projects will be undertaken during the third quarter as appropriate.

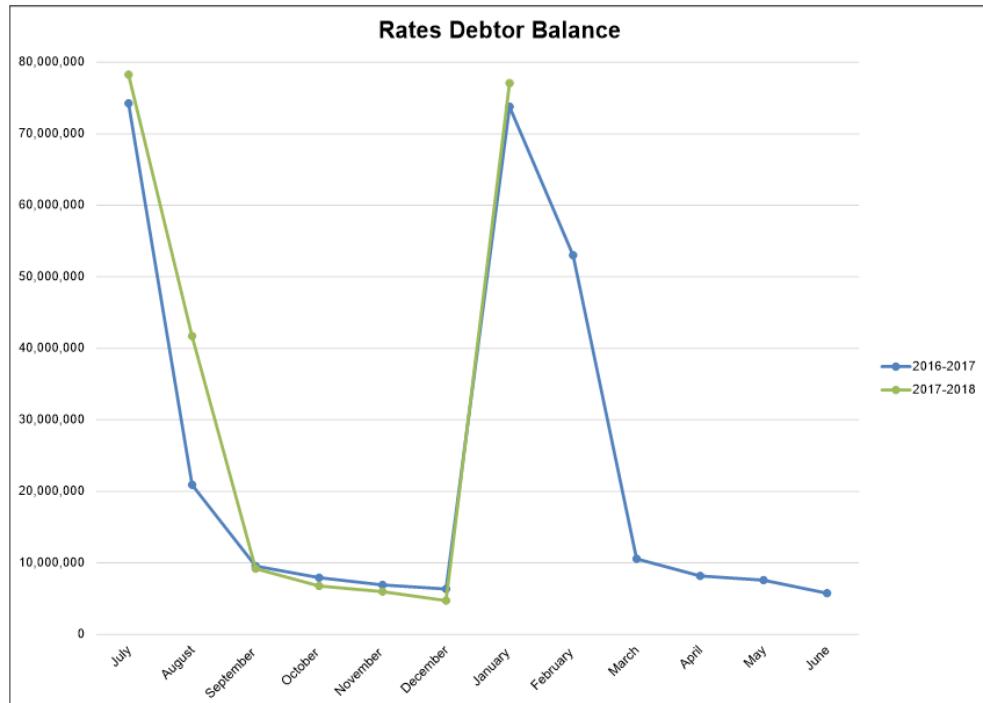
For more details regarding Capital Expenditure projects please refer to the summary of capital projects at the end of this report.



Revenue Statistics**Rates Debtor**

The current rates levy totalling \$82.2 million was raised in January 2018. At 31 January 2018, the rates debtor balance was \$77 million. The due date for payment is 9 March. An assessment will be made at that time on the amount outstanding, compared to prior years.

Council resolved at its ordinary meeting on 21 November to initiate final stage recovery action in relation to outstanding rates on 43 properties. The rate debts on 24 of these properties have been paid to date with debts on the remaining 19 properties yet to be finalised.

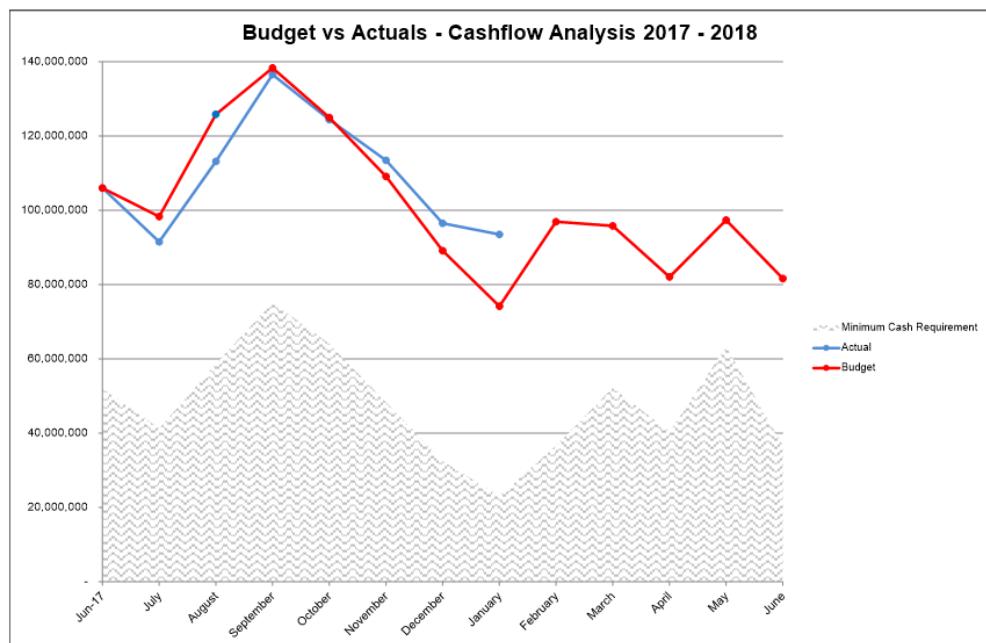


Cash Flow

The cash balance as at 31 January 2018 was \$93.5 million, a decrease of \$3 million from the last report on 2 January 2018.

Overall, the current cash balance is \$21.5 million more than forecasted, as the financial year to date capital expenditure is less than anticipated.

No short-term liquidity issues are foreseeable.



Moderate + High Governance Projects as at 1 February 2018

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.		174,611	102,958	174,611	150,000	78,348	-	52%	150,000	-	
Multi-Use Sport and Community Centre (Multiplex) Stage 2	✓	95%	Project is practically complete awaiting financial completion.	12,500,000	12,677,819	11,960,250	12,677,819	9,468,657	8,751,088	535	92%	9,468,657	-	
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%	-	-
			Cost to Council		25,365,118	31,840,364	30,803,492	31,840,364	9,868,657	8,831,785	535	89%	9,868,657	-
Bundaberg CBD Revitalisation	✓	15%	Hassell Ltd is progressing with the design and documentation. Design is currently 30% complete. 50% hold point has been extended to approximately April 2018 to incorporate changes to project scope. A Revised Budget Request will be submitted to decrease the current financial year budget and to revise future years budgets.		16,064,181	602,524	12,564,181	5,000,000	538,343	41,500	11%	1,500,000	(3,500,000)	
Bundaberg CBD Streetscape Revitalisation - Non-Capital Costs	✓		Work is ongoing.		279,254	152,404	179,254	100,000	73,149	13,000	73%	100,000	-	
			Cost to Council		16,000,000	16,343,435	754,928	12,743,435	5,100,000	611,492	54,500	12%	1,600,000	(3,500,000)
Mount Perry Flood Evacuation Route Upgrade	100%		Costs have been finalised. Revised Budget Request to be submitted to increase current financial year budget.	8,758,570	4,663,944	4,733,858	4,738,584	-	69,915	4,726	x	74,641	74,641	
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%	-	-
			Cost to Council		8,758,570	5,937,528	6,007,442	6,012,168	-	69,915	4,726	0%	74,641	74,641
Burnett Heads CBD Revitalisation	20%		Construction has commenced, due to be completed in June 2018. Design of additional Stage 2 works in progress. A Revised Budget Request will be submitted to request an additional \$2,100,000 for increased scope relating to the Federal Grant Agreement.	5,359,707	6,062,003	803,662	8,162,003	5,900,000	641,659	75,298	11%	8,000,000	2,100,000	
Staff Accommodation Strategy	✓	2%	Request for Quote for design has been revoked. Project scope is currently being reviewed.		6,200,000	6,200,000	3,668	6,200,000	200,000	3,668	-	2%	200,000	-
East Bundaberg Tourism Precinct	✓	5%	Concept design is complete. Contract for design has been awarded to Harrison Infrastructure Group. Final design and scope is contingent upon the outcome of grant applications.	457,000	1,005,652	28,835	1,005,652	1,000,000	23,183	-	2%	1,000,000	-	

Moderate + High Governance Projects as at 1 February 2018

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 - Civica Authority Version 7 Upgrade	✓	10%	Civica Authority upgrade from current Version 6.9 to Version 7 to support latest functionality.	1,286,033	1,124,701	1,286,033		277,588	116,256	26,208	42%	277,588	-
Rugged Tablets - Proof of Concept	★	100%	Costs have been finalised	4,500,000	10,000	10,000	10,000	-	-	-	0%	-	-
Software Programs	★	100%	Costs have been finalised		22,277	22,277	22,277	-	-	-	0%	-	-
			Cost to Council	4,500,000	1,318,310	1,156,978	1,318,310	277,588	116,256	26,208	42%	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 April 2018.	1,000,000	1,438,675	12,807	1,438,675	1,438,675	12,807	-	1%	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 April 2018.	420,000	2,270,300	-	2,270,300	2,270,300	-	-	0%	2,270,300	-
			Cost to Council	1,420,000	3,708,975	12,807	3,708,975	3,708,975	12,807	-	0%	3,708,975	-
Waste Disposal Facilities													
Bundaberg Regional Landfill - (Cedars Road) - Cell 3	✓	60%	Currently under construction, minor delays in sourcing some materials. Project expected to be completed by late March 2018.	4,294,000	4,366,808	1,662,617	4,366,808	4,294,000	1,589,809	143,687	37%	4,294,000	-
Qunaba 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	✓	30%	Project is currently being designed. Project will be delivered by day labour with construction has commenced and is due to be completed June 2018.	1,000,000	1,441,641	30,656	1,468,641	1,000,000	14,015	14,870	1%	1,000,000	-
Hughes Road, Bargara - Extension - Stage 2 - Wearing Road to Watsons Road	✓	5%	Project is currently being designed. Construction will commence in the 2018-2019 Financial Year.	600,000	100,551	11,564	100,551	100,000	11,013	18,530	11%	100,000	-
Land Purchase for Road Reserve	✓	30%	Negotiations are ongoing.		600,000	484	600,000	600,000	484	-	0%	600,000	-
			Cost to Council	600,000	700,551	12,048	700,551	700,000	11,497	18,530	2%	700,000	-
Sprayed Bitumen Resurfacing Program	✓	95%	Project is Practically Complete awaiting financial completion	1,470,000	1,470,000	76,159	1,470,000	1,470,000	76,159	-	5%	1,470,000	-
Willis Street, Sharon - Burnett Downs Estate - Upgrade Drainage Work	✓	2%	Project is currently being designed.	650,000	650,000	8,050	300,000	300,000	8,050	14,633	3%	300,000	-
Pine Creek Road - Roads Rehabilitation Program	●	100%	Costs have been finalised. Revised Budget Request to be submitted to reduce the current year budget in line with actual expenditure.	591,000	591,000	433,893	433,893	591,000	433,893	-	73%	433,893	(157,107)
Scolland Street and Eastgate Street - Intersection Safety Improvements (BLACKSPOT)	✓	95%	Construction activities are complete. Third party service relocations (NBN) still to be undertaken.	360,000	756,348	708,685	756,348	715,000	667,337	9,520	93%	715,000	-

Moderate + High Governance Projects as at 1 February 2018

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.	✓	700,000	282,996	282,996	282,996	141,736	141,737	-	100%	141,736	-
Avoca Street/Branyan Drive - Provision and Upgrade of On-Road Cycle Facilities - Stage 2B	85%	Project will be constructed by day labour and will be completed February 2018.	✓	-	417,004	77,104	417,004	417,004	77,104	135,942	18%	417,004	-
		Cost to Council		700,000	700,000	360,100	700,000	558,740	218,840	135,942	39%	558,740	-
Thabeban Fitzgerald Streets Roundabout - Works for Queensland Round 2	2%	Project is currently being designed. Relocation of services will commence in March and due to be completed by July 2018. Construction to commence in the 2018-2019 Financial Year.	✓	1,400,000	1,400,000	152,025	1,400,000	1,400,000	152,025	-	11%	1,400,000	-
Asphalt Rejuvenation Program	90%	Tender has been awarded to Roadwork Industries. Construction commenced December 2017 and due to be completed early February 2018.	✓	500,000	515,000	13,540	515,000	515,000	13,540	-	3%	515,000	-
Fitzgerald Street/ Eggmolesse Street, Norville - Construction of Roundabout - Works for Queensland Round 1	95%	Project is practically complete awaiting financial completion. Additional project scope was funded by Across the Waves and Shalom College. Revised Budget Request has been submitted to increase current budget.	●	1,400,000	1,456,736	1,789,063	1,795,803	1,349,604	1,681,930	6,740	125%	1,688,670	339,066
Johnston Street, Avoca - Upgrade	2%	Project is currently being designed. Drainage easement negotiations are continuing.	✓	995,015	650,000	56,922	650,000	650,000	56,922	8,980	9%	650,000	-
Thabeban Stormwater Drainage Scheme - Stage 3	2%	Council officers will develop a Master Plan for future year expenditure. Current year expenditure is based on Council's contribution to the emergency services development. Project is currently being designed. A Revised Budget Request will be submitted to reduce the current budget.	✓	1,308,000	3,700,000	64,611	3,400,000	1,500,000	12,734	62,250	1%	1,200,000	(300,000)
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%	-	-
		Cost to Council		1,308,000	4,721,593	1,086,204	4,421,593	1,500,000	12,734	62,250	1%	1,200,000	(300,000)
Ten Mile Road, Sharon - Upgrade and Widen Narrow Sealed Sections between CH 3.7 km and CH 4.9 km	90%	Project has been included in the existing RoadTek contract. Construction is due to be completed in February 2018.	✓	2,650,000	350,000	25,758	350,000	350,000	25,758	88,804	7%	350,000	-
Ten Mile Road, Sharon - Upgrade and Widen Narrow Sealed Sections between CH 4.9 km and CH 7.3 km	5%	Detailed design is complete. Tender has closed and is currently being evaluated. Construction will occur this Financial Year.	✓	-	1,550,000	204,849	1,550,000	1,550,000	204,849	-	13%	1,550,000	-
Ten Mile Road, Sharon - Upgrade and Widen Narrow Sealed Sections between CH 7.3 km and CH 10.75 km	90%	Project has been included in the existing RoadTek contract. Construction is due to be completed in February 2018.	✓	-	750,000	437,360	750,000	750,000	437,360	455	58%	750,000	-
		Cost to Council		2,650,000	2,650,000	667,967	2,650,000	2,650,000	667,967	89,259	25%	2,650,000	-

Moderate + High Governance Projects as at 1 February 2018

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 - Bucket Play Area - Works for Queensland Round 2	✓	0%	Project yet to commence.	500,000	500,000	-	500,000	10,000	-	-	0%	10,000	-
Norville Pool Wet Edge - Works for Queensland Round 1	✓	100%	Project Practically Complete awaiting financial completion.	1,027,500	1,463,926	1,218,236	1,463,926	1,319,132	1,073,442	-	81%	1,319,132	-
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	331	500,000	500,000	331	-	0%	500,000	-
Baldwin Environmental Wetlands - Water Quality Improvement - Works for Queensland Round 2	✓	2%	Project Manager is developing project plan Revised Budget Request to be submitted to increase current year budget.	500,000	500,000	-	500,000	-	-	39,737	0%	39,737	39,737
Nanning Garden Upgrade	✓	100%	Project is Practically Complete awaiting financial completion.	1,189,098	1,189,098	1,085,606	1,189,098	824,118	720,626	9,953	87%	824,118	-
Water and Wastewater													
Smart Meter Trial	✓	10%	Expressions of Interest for installation of the Pilot will be advertised in January 2017. Revised Budget Request to be submitted to reallocate current year budget to 2018-2019 Financial Year in line with project schedule.	8,000,000	8,000,000	74,533	7,675,000	625,000	74,077	51,680	12%	300,000	(325,000)
Heaps Street New Roof Structure	●	100%	Costs have been finalised. Revised Budget Request to be submitted to reduce the current year budget in line with actual expenditure.	800,000	400,000	-	386,124	400,000	386,124	-	97%	386,124	(13,876)
Gregory Water Treatment Plant Upgrade	✓	10%	Project is currently being designed. Design is 40% complete.	16,200,000	7,682,847	392,228	7,682,847	572,608	281,990	29,527	49%	572,608	-
Kalkie Water Treatment Plant Quality Upgrade	✓	10%	Project is currently being designed. Design is 50% complete.	3,100,000	8,000,000	304,636	8,000,000	572,699	277,335	37,233	48%	572,699	-
Innes Park Dry Sewers	✓	98%	Sewers have been repaired and now available for connection. Minor work still to be completed. Revised Budget Request submitted to reduce current budget in line with actual expenditure.	600,000	201,387	118,731	201,387	200,000	117,344	4,500	59%	200,000	-

Moderate + High Governance Projects as at 1 February 2018

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 (\$)
Branyan WTP Clear Water Storage - New Roof Structure	✓	5%	Construction due to commence mid March.	500,000	500,000	19,182	500,000	500,000	19,182	-	4%	500,000	-
Woodgate Vacuum Sewer Extension	●	20%	Construction to commence in January due to be completed in July 2018. Revised Budget Request to be submitted to increase current year budget.	1,500,000	2,100,000	390,338	2,250,000	2,064,797	355,135	437,666	17%	2,214,797	150,000
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	-
Childers Wastewater Treatment Plant Upgrade	✓	5%	Contract for design has been awarded and shall commence in January 2018. Options Workshop will be held in February.	3,200,000	3,200,000	21,702	3,200,000	200,000	21,702	355,498	11%	200,000	-
Gin Gin Wastewater Treatment Plant Upgrade	✓	5%	Contract for design has been awarded and shall commence in January 2018. Construction due to commence 2020.	3,700,000	3,700,000	18,636	3,700,000	100,000	18,636	236,998	19%	100,000	-
Port Sewerage Infrastructure - Installation of Gravity Reticulation System	✓	100%	Costs have been finalised.	780,000	256,319	256,319	256,319	29,941	29,941	-	100%	29,941	-
Mon Repos Water	✓	2%	Project is currently being designed. Revised Budget Request to be submitted to increase 2018-2019 Financial Year budget.	670,000	500,000	-	670,000	500,000	-	-	0%	500,000	-
Mon Repos Wastewater	✓	2%	Project is currently being designed. Revised Budget Request to be submitted to increase 2018-2019 Financial Year budget.	900,000	500,000	2,456	900,000	500,000	2,456	-	0%	500,000	-
Coral Cove Sewer - Pebble Beach Drive New Pump Station, Rising Main and Gravity Main	✓	85%	Diversion of pipework from Barolin Esplanade B to New Pump Station to be completed. Completion February.	950,000	893,741	890,374	893,741	170,000	166,633	16,024	98%	170,000	-
Coral Cove Sewer - Easement Negotiations and Compensation	★	Costs have been finalised.	-	17,251	17,251	17,251	-	-	-	-	0%	-	-
Coral Cove Sewer - Pebble Beach Drive New Pump Station, Rising Main and Gravity Main Non Capital Costs	●	Non Capital costs of project. Revised Budget Request to be submitted to increase current budget.	-	63,667	63,746	63,746	-	20,000	20,078	-	100%	20,078	78
			Cost to Council	950,000	974,659	971,371	974,738	190,000	186,711	16,024	98%	190,078	78

Moderate + High Governance Projects as at 1 February 2018

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 (\$)
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 90% complete. A Revised Budget Request will be submitted to reduce the current years budget.	52,927,378	43,493,569	49,926,910	22,835,778	13,897,068	5,679	61%	19,835,778	(3,000,000)	
Project Administration and Control (All Stages)	✓		Work is ongoing	1,005,000	855,388	1,005,000	109,593	25,038	33,164	23%	109,593	-	
Non Capital Costs for Design and Construction of Rubyanna Plant	●		Work is ongoing	234,373	234,842	234,842	-	468	-	0%	468	468	
Decommissioning of Bundaberg East WWTP	5%		Initial decommissioning works will commence in January 2018. Further activities will be undertaken to decontaminate East WWTP once Rubyanna WWTP comes online.	1,800,000	18,007	1,800,000	500,000	9,590	-	2%	500,000	-	
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%	-	-	
Cost to Council				92,726,237	71,050,028	59,685,083	68,050,028	23,445,371	13,932,164	38,844	59%	20,445,839	(2,999,532)

Status	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 1 February 2018

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											
	Building Our Regions	5,000,000	4,000,000	80%							Final Claim will be submitted in February 2018. Payment due in March 2018.
Multi-Use Sports and Community Centre - Stage 2					12,260,000	11,960,250	98%	2,260,000	3,460,250	14/02/2018	Project savings have resulted in a reduction in revenue.
	Community Development Grant	5,000,000	4,500,000	90%							Final Claim will be submitted in March 2018. Payment due in June 2018.
	Building Our Regions	3,320,677	1,660,000	50%						1/10/2018	Milestone 2 will be submitted in April 2018. Payment due in May 2018.
Burnett Heads CBD Revitalisation					6,641,355	803,662	12%	415,410	(856,338)		Milestone 1 will be submitted in April 2018. Payment due in May 2018.
	Building Better Regions Fund	2,905,268	-	0%						30/06/2018	
Bundaberg Regional Aviation and Aerospace Precinct - Stage 3	Building Our Regions	1,993,975	-	0%	5,239,560	12,807	0%	3,245,585	12,807	1/03/2019	Milestone 1 will be submitted in February 2018. Payment due in March 2018.
Elliott Heads Foreshore Redevelopment	Local Government Grants and Subsidies Program	1,604,144	481,243	30%	4,010,361	-	0%	2,406,217	(481,243)	18/10/2018	30% funding received at execution of agreement. The remaining funding is received progressively during construction.
Wastewater											
Rubyanna Sewerage Treatment Plant	Building Our Regions	5,000,000	4,250,000	85%	62,050,000	43,493,569	70%	57,050,000	39,243,569	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											
	Heavy Vehicle Safety and Productivity Programme Round Five	1,407,166	985,016	70%							Heavy Vehicle Safety and Productivity Programme Round Five final claim will be submitted in February.
Kay McDuff Drive Extension					2,766,657	2,481,699	90%	-	516,275	31/07/2017	Project savings have resulted in a reduction in revenue.
	TIDS	1,359,491	980,408	72%							Further TIDS funding approved for 18/19 Financial Year.

Capital Grants - Life to Date as at 1 February 2018

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
New Monduran Bridge over Kolan River	Bridges Renewal Programme	1,590,000	1,341,973	84%	3,253,471	2,811,287	86%	-	65,977	31/08/2017	Bridges Renewal Programme final claim has been submitted and is currently being assessed.
	TIDS	1,663,471	1,403,337	84%							Project savings have resulted in a reduction in revenue.
Eggmolesse Street - Upgrade to Sealed Standard (Johanna Boulevard End)	TIDS	258,407	258,407	100%	3,258,407	2,981,217	91%	-	(179,771)	30/06/2018	Next Milestone payment due in February 2018.
	Roads to Recovery	3,000,000	2,902,581	97%							Further TIDS funding approved for 18/19 and 19/20 Financial Year.
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.
Scotland Street/Eastgate Street - Intersection Safety Improvements	BLACKSPOT	630,000	205,000	33%	630,000	708,685	112%	-	503,685	30/06/2017	50% funding received at execution of agreement. The final claim will be submitted in February 2018. 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	30,656	2%	739,900	30,656	30/09/2018	Funding is received progressively during construction. First Milestone payment due February 2018.
Quay Street East/Scotland Street - Pathway Principal Cycle Network Plan	Cycle Network Local Government Grants Program	151,374	75,687	50%	302,748	11,715	4%	151,374	(63,972)	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/Tanitha Street - Intersection Safety Improvements	BLACKSPOT	334,000	167,000	50%	334,000	15,106	5%	-	(151,894)	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	17,857	6%	-	(127,893)	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	43,736	31%	-	(27,514)	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	25,758	1%	-	(274,242)	30/06/2018	Next Milestone payment due in February 2018.

Capital Grants - Life to Date as at 1 February 2018

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
Works for Queensland											
Works for Queensland - Round 1	Works for Queensland	10,676,000	9,608,400	90%	10,676,000	13,085,131	123%	-	3,476,731	31/12/2017	Final Milestone has been submitted in December 2017 and is currently being assessed.
Works for Queensland - Round 2	Works for Queensland	10,573,000	5,286,500	50%	10,573,000	490,983	5%	-	(4,795,517)	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****27 February 2018**

Item Number:	File Number:	Part:
F1	RG-1-001	GOVERNANCE & COMMUNICATIONS

Portfolio:

Organisational Services

Subject:

Council to Chief Executive Officer Delegations

Report Author:

Amanda Sapolu, Chief Legal Officer

Authorised by:

Amanda Pafumi, 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*, a local government may, by resolution, delegate a power under this Act or another Act to the Chief Executive Officer.

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 delegations from Council to Chief Executive Officer.

The Council to Chief Executive Officer Register was last adopted by Council in December 2017. Since that time, there has been a number of changes made by LGAQ and as a result of an internal review. It is at Council's discretion what powers it chooses to delegate to the Chief Executive Officer.

The updates are categorised into 'Registers added' and 'Register changed'. Registers added incorporates delegated powers under legislation for which the local government had not previously had powers. Register changed incorporates those powers that have been amended in some way as a result of changes to the legislation.

Registers added:

- *Peaceful Assembly Act 1992*;
- *Nature Conservation (Administration) Regulation 2017* (replacing the register for the Nature Conservation (Administration) Regulation 2006);
- Bundaberg Regional Council Local Laws.

Register changed:

- *State Penalties Enforcement Act 1999;*
- *Waste Reduction and Recycling Act 2011;*
- *Work Health and Safety Act 2011.*

Associated Person/Organization:

LGAQ/King & Company Solicitors.

Consultation:

Portfolio Spokesperson: Cr Helen Blackburn

Legal Implications:

The local government's powers need to be delegated in accordance with the *Local Government Act 2009*.

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 Register of Delegations - Council to CEO](#)

Recommendation:

That the Chief Executive Officer be delegated the powers in accordance with the “Register of Delegations – Bundaberg Regional Council to the Chief Executive Officer” (as detailed on the 216 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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Organisational Services
Organisational Services Administration

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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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to consult with the Minister about cultural heritage duty of care guidelines.	Section 28(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power to consult with the chief executive about a cultural heritage study.	Section 72(1)(c)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to agree with the Claimant on the amount of compensation payable.	Section 12(5A)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power to dedicate land taken under the Act as a road.	Section 12B	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to take additional land.	Sections 13(2) and (2A)	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to sell or otherwise deal with additional land taken.	Section 13 (3)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to serve a notice of discontinuance of a resumption.	Section 16(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power as a gazetting authority to, by gazette notice, revoke a gazette resumption notice.	Section 17(1)	27-Feb-2018 Item F1	
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 reversioning of the land or part of it, to which a gazette resumption notice will relate.	Section 17(1A)	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to lodge a gazette copy of the revoking gazette notice with the land registry.	Section 17(2)(c)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
28.	Chief Executive Officer	Power to make an advance on compensation to the Claimant.	Section 23(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power to reduce the advance by the sum due to the mortgagee.	Section 23(6)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
32.	Chief Executive Officer	Power to refer a claim for compensation to the Land Court.	Section 24(1)	27-Feb-2018 Item F1	
33.	Chief Executive Officer	Power to apply to the Land Court for further or other particulars of a claim for compensation.	Section 24(4)	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power to apply to the Land Court for the Claimant to enter an appearance on the reference.	Section 25(1)	27-Feb-2018 Item F1	
35.	Chief Executive Officer	Power to pay the amount of compensation agreed upon or determined into the Supreme Court.	Sections 29 & 30	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
38.	Chief Executive Officer	Power to authorise a person to exercise the powers in section 36(1) on Council's behalf.	Section 36(1)	27-Feb-2018 Item F1	
39.	Chief Executive Officer	Power to give 7 days notice in writing of the intention to enter the land.	Section 36(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
44.	Chief Executive Officer	Power to offer for sale land taken under the Act to the former owner of the land.	Section 41(1)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power, in the specified circumstances, to deal with an animal or other thing as considered appropriate.	Section 157	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, in the specified circumstances, to recover the cost from the animal's owner or former owner.	Section 189	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to give the Secretary further information in response to a notice issued by the Secretary.	Section 8-4	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, as an approved provider, to give the Secretary information relating to payments.	Section 9-3(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to apply for an allocation of places and pay the application fee.	Sections 13-1 and 13-3	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to reply to a request for further information from the Secretary.	Section 13-4(2)	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to respond to a notice from the Secretary.	Section 15-4(3)(b)	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to apply to the Secretary for a variation of a provisional allocation.	Section 15-5	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to surrender a provisional allocation by notice in writing to the Secretary.	Section 15-6	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to apply to the Secretary for an extension of the provisional allocation period.	Section 15-7(4)	27-Feb-2018 Item F1	
18.	Chief Executive Officer	Power, as an approved provider, to give the Secretary a transfer notice.	Section 16-2	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power, as a transferor or a transferee, to give the Secretary written notice of the changes.	Section 16-2(8)	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to make submissions in response to a notice to resolve.	Section 16-4(2)(e)	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to agree in writing to another proposed transfer day.	Section 16-5(3)	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power, as a transferor, to give to the transferee the records prescribed in subsections (1) and (2).	Section 16-11	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power, as a transferor or a transferee, to give the Secretary written notice of the changes.	Section 16-13(8)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power, as a transferor or a transferee, to agree in writing to another proposed transfer day.	Section 16-16(3)(a)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power to respond to a request for further information issued by the Secretary.	Section 17-3(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
33.	Chief Executive Officer	Power, as an approved provider, to give notice of the relinquishment.	Section 18-2(4)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
44.	Chief Executive Officer	Power, as an approved provider, to apply to the Secretary to vary or revoke a notice given under subsection (1) or (3A).	Section 27-3(4)	27-Feb-2018 Item F1	
45.	Chief Executive Officer	Power, as an approved provider, to conduct a reappraisal on its own initiative.	Section 27-4	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
54.	Chief Executive Officer	Power, as an approved provider, to vary the claim made in respect of a payment period.	Section 43-4A	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
60.	Chief Executive Officer	Power, as an approved provider, to vary the claim made in respect of a payment period.	Section 47-4A	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
66.	Chief Executive Officer	Power, as an approved provider, to enter an accommodation agreement with a person.	Sections 52F-2 to 52F-6	27-Feb-2018 Item F1	
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 about 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	27-Feb-2018 Item F1	
68.	Chief Executive Officer	Power, as an approved provider, to retain income derived from a refundable deposit.	Section 52J-6	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
73.	Chief Executive Officer	Power, as an approved provider, to comply with the requirements of the Prudential Standards.	Section 52M-1(1)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
76.	Chief Executive Officer	Power, as a former approved provider, to refund the refundable deposit balance to the care recipient.	Section 52P-2(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
78.	Chief Executive Officer	Power, as an approved provider, to comply with the responsibilities of approved providers.	Section 54-1	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
82.	Chief Executive Officer	Power, as an approved provider, to: <ul style="list-style-type: none"> (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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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 given under subsection 8-5(3).	Section 65-1C	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
103.	Chief Executive Officer	Power to apply in writing for the allocation of a residential care grant.	Section 71-1	27-Feb-2018 Item F1	
104.	Chief Executive Officer	Power to comply with a notice requesting further information received from the Secretary.	Section 71-3(1)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
106.	Chief Executive Officer	Power, as an approved provider, to comply with the grant conditions.	Section 73-3	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
115.	Chief Executive Officer	Power, as an approved provider, to keep the records referred to in section 88-1.	Section 88-1	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to recognise a body supervising an exhibition in which a cat or dog is participating.	Section 42(4)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to give registration notice.	Section 49(2)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to keep registration form and information.	Section 51	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to fix the fee for the registration of a dog.	Section 52	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power to grant or refuse a permit application within a certain time.	Section 75(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to impose conditions on the grant of an application for a restricted dog permit.	Section 75(5)	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power to issue a restricted dog permit.	Section 77	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to issue a decision notice after deciding to refuse a permit application.	Section 79	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to grant or refuse a renewal application within a certain time.	Section 84(1)	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to seek further information in deciding an application for a renewal application.	Section 84(4)(b)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to: • if the application is granted, issue a renewed permit; or • if the application is refused, issue a decision notice.	Section 84(5)	27-Feb-2018 Item F1	

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<i>Animal Management (Cats and Dogs) Act 2008</i>					
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to determine whether a dog is of a breed mentioned in section 63(1).	Section 89(4)	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to give a dog owner a proposed declaration notice regarding a dog.	Section 90	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to withdraw a proposed declaration notice regarding a dog.	Section 92	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
25.	Chief Executive Officer	Power to destroy a surrendered regulated dog.	Section 100	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power to recover reasonable seizure or destruction costs.	Section 102	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to give notice of a proposed inspection program.	Section 114	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power to include other information considered appropriate in the general register.	Section 178(e)	27-Feb-2018 Item F1	
29.	Chief Executive Officer	Power to authorise an employee to verify a copy of a document.	Section 198(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to carry out the main function of a local government under the Act.	Section 48	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to consult with the Minister.	Section 50(3)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to comply with a notice issued by the Minister pursuant to subsection (4).	Section 50(5)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to agree with the chief executive that Council cannot achieve substantial compliance with the notice.	Section 51(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to prepare and approve a biosecurity plan for invasive biosecurity matter for Council's area.	Section 53	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power to keep a copy of the biosecurity plan available for inspection.	Section 54	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power to consult with the chief executive about the suitability and priority of the activities.	Section 59	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to pay the amount required by a notice issued by the Minister pursuant to this section.	Section 60(5)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to make written submissions on a proposed guideline.	Section 107	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to apply to an inspector for a biosecurity emergency order permit.	Section 121	27-Feb-2018 Item F1	
24.	Chief Executive Officer	Power to apply to an inspector for a biosecurity instrument permit.	Section 132	27-Feb-2018 Item F1	
25.	Chief Executive Officer	Power as a registrable biosecurity entity to apply for registration.	Sections 145 and 147	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power as a registrable biosecurity entity to apply for a registration exemption.	Section 146	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to make written submissions in response to a notice from the chief executive.	Section 150(3)(b)	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power, in the circumstances referred to in subsection (1) to apply for deregistration as a biosecurity entity.	Section 152	27-Feb-2018 Item F1	
29.	Chief Executive Officer	Power to comply with a requirement of the chief executive made under subsection (2) or (3).	Section 156(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power to give the chief executive further information or a document about the application.	Section 165	27-Feb-2018 Item F1	
35.	Chief Executive Officer	Power as a registered biosecurity entity to give the chief executive a change notice.	Section 170(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
41.	Chief Executive Officer	Power, to comply with all reasonable directions the inspector gives.	Section 193(3)	27-Feb-2018 Item F1	
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 conveyor or drover of the animal.	Section 194(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
49.	Chief Executive Officer	Power to comply with a direction of the chief executive issued pursuant to subsection (2).	Section 229	27-Feb-2018 Item F1	
50.	Chief Executive Officer	Power to apply for the transfer of a prohibited matter permit or a restricted matter permit.	Section 230	27-Feb-2018 Item F1	
51.	Chief Executive Officer	Power to consult with an interested entity about a proposed biosecurity program.	Section 235(3)(d)	27-Feb-2018 Item F1	
52.	Chief Executive Officer	Power to consult with the chief executive about a proposed biosecurity program.	Section 239(1)	27-Feb-2018 Item F1	
53.	Chief Executive Officer	Power to consult with the chief executive and an invasive animal board before authorising a biosecurity program.	Section 239(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
58.	Chief Executive Officer	Power, as the issuing authority, to give notice of an internal review decision.	Section 366	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
63.	Chief Executive Officer	Power, as a third party, to appear at the hearing of an application for a cost recovery order.	Section 383	27-Feb-2018 Item F1	
64.	Chief Executive Officer	Power to enter into a government and industry agreement with the Minister or the chief executive.	Section 391	27-Feb-2018 Item F1	
65.	Chief Executive Officer	Power to enter into a compliance agreement with the chief executive.	Section 393	27-Feb-2018 Item F1	
66.	Chief Executive Officer	Power to apply to the chief executive to enter into a compliance agreement with the State.	Section 396	27-Feb-2018 Item F1	
67.	Chief Executive Officer	Power to give the chief executive further information or a document required to decide the application.	Section 399(1)(b)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
71.	Chief Executive Officer	Power, as the holder for a relevant authority, to ask the chief executive to cancel the authority.	Section 490	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to enter the common property if necessary to exercise a power conferred under an Act.	Section 316(1)	27-Feb-2018 Item F1	



<i>Building Act 1975</i>					
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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power, as an assessment manager, to consult with the chief executive about the variation application.	Section 41(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power, under the <i>Planning Act</i> to receive, assess and decide a building development application.	Section 51(2)(a)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to appoint or employ a private certifier or another building certifier.	Section 51(2)(b)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to issue a building development approval.	Section 52	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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 <i>Planning Act</i> at any stage the assessment manager considers appropriate.	Section 55	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power, as the holder of a registered easement or statutory covenant, to consent to building work.	Section 65	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power, as the assessment manager, to give a reminder notice about the lapsing.	Section 95	27-Feb-2018 Item F1	
18.	Chief Executive Officer	Power to consult with a private certifier with regard to further extensions of the period under the <i>Planning Act</i> , s 341 (When approval lapses if development not started).	Section 97(2)	27-Feb-2018 Item F1	

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<i>Building Act 1975</i>					
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	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to give a building certifier a notice ('show cause notice').	Section 206(1)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to notify the QBCC of its application to the Queensland Civil and Administrative Tribunal.	Section 210	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power to decide the application and give the owner an information notice about the decision.	Section 221(4)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power to inspect budget accommodation buildings at least once every 3 years.	Section 228	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
31.	Chief Executive Officer	Power to require the applicant to give medical evidence to support the application.	Section 236	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
35.	Chief Executive Officer	Power to give an applicant a show cause notice.	Section 242(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
37.	Chief Executive Officer	Power to give to the QBCC commissioner notice of each revocation notice given.	Section 243	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
41.	Chief Executive Officer	Power to give written notice of the grant of an exemption.	Section 245C(1)	27-Feb-2018 Item F1	
42.	Chief Executive Officer	Power to give an information notice.	Section 245C(2)	27-Feb-2018 Item F1	
43.	Chief Executive Officer	Power to give the owner of the regulated pool a show cause notice.	Section 245E(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
45.	Chief Executive Officer	Power to give the QBCC commissioner the notices required by sections 245F(1) and 245F(2).	Section 245F	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



<i>Building Act 1975</i>					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
57.	Chief Executive Officer	Power to cancel pool safety certificate for a regulated pool.	Section 246AF(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
59.	Chief Executive officer	Power to give a show cause notice before cancelling a pool safety certificate.	Section 246AG(1)	27-Feb-2018 Item F1	
60.	Chief Executive Officer	Power to consider submissions and decide whether to cancel a pool safety certificate.	Section 246AG(5)	27-Feb-2018 Item F1	
61.	Chief Executive officer	Power to give the owner notice of the decision.	Section 246AG(6)	27-Feb-2018 Item F1	
62.	Chief Executive officer	Power to give the owner an information notice about the decision.	Section 246AG(7)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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<i>Building Act 1975</i>					
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	27-Feb-2018 Item F1	
65.	Chief Executive Officer	Power to comply with a request for information from the QBCC commissioner.	Section 246AIB(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
68.	Chief Executive Officer	Power to, by gazette notice, designate land as a transport noise corridor.	Section 246X	27-Feb-2018 Item F1	
69.	Chief Executive Officer	Power to give a notice ('enforcement notice') to the owner of a building, structure or building work.	Section 248(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
71.	Chief Executive Officer	Power to give a person a show cause notice.	Section 248(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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(11)(b) of the <i>Local Government Act 1936</i> is still in force).	Section 262	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to make a copy of a draft coastal plan available for inspection by the public.	Section 25(5)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to appeal against the chief executive's decision to give a coastal protection notice to Council.	Section 59(5)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to appeal against the chief executive's decision to give a tidal works notice to Council.	Section 60(7)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power to make an application to the chief executive for an allocation of quarry material in tidal water.	Section 73	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power, as an allocation notice holder, to apply to the chief executive officer to renew the allocation notice.	Section 83	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power, as an allocation notice holder, to surrender the allocation.	Section 88	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to endorse a plan of subdivision with Council's acceptance of trusteeship of the reserve.	Section 115B(5)(a)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to certify a plan of subdivision which shows an artificial waterway.	Section 119(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power to elect not to be the responsible entity for a change application.	Section 206(5)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power, as an assessment manager, to give a confirmation notice.	Section 2.3	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as an assessment manager, to give an action notice.	Section 3.1	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, as an assessment manager, to agree on a further period for giving a confirmation notice.	Section 3.6(b)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power, as a referral agency, to give a referral confirmation notice.	Section 7.1	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power, as a referral agency, to give the applicant an action notice	Section 8.1(a)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
18.	Chief Executive Officer	Power, as an assessing authority, to make an information request.	Section 12.1	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
25.	Chief Executive Officer	Power, as an assessment manager, to accept properly made submissions and not properly made submissions.	Section 19.1	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power, as an assessment manager, to agree to a further period to consider the submissions.	Section 19.3	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power, as an assessing authority, despite section 11.1, to make an information request about the change.	Section 27.2	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to prepare a local disaster management plan for disaster management in the local government's area.	Section 57(1)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to review, or renew, its local disaster management plan when local government considers it appropriate.	Section 59	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to nominate a person to a temporary district disaster management group.	Section 7(1)	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to appoint a person as a member of a local disaster management group.	Section 9(1)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to appoint a chairperson and deputy chairperson of a local disaster management group.	Section 10(1)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to make submissions to MEDQ about the proposed planning instrument change.	Section 41(5)(b)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to agree to the making of a regulation making an interim local law.	Section 43(3)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to comply with a request by MEDQ to supply documents or information.	Section 52(3)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to consult with MEDQ about a proposed development scheme.	Section 58(2)(a)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power as an owner of land to consent to the making of a PDA development application.	Section 82(1)(b)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to make submissions to MEDQ about a PDA development application.	Section 84(4)(d)	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power as an owner of land to consent to the cancellation of a PDA development approval.	Section 98(2)	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power as an owner of land to consent to the making of an amendment application.	Section 99(5)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power as a charging entity to give a charge notice.	Section 116G	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power to recover a charge that becomes owing under subsection (1).	Section 117	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power as a directed entity, in the circumstances specified in subsection (1), to comply with the direction.	Section 214(2)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as a road authority, to consult with an electricity entity.	Section 103	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to consider a notice of election and any offset delivery plan.	Section 19(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to give the notice required to be given under subsection (4).	Section 19A	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to enter another agreed delivery arrangement..	Section 20	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to decide an application to remove duplicate conditions.	Section 25A	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to credit amounts received by Council as a financial settlement offset to Council's trust fund.	Section 89(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power, as a relevant entity, to extend the time for applying for internal review.	Section 18(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to make a written submission about a submitted EIS.	Section 54	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to agree a further period within which the applicant must give notice under section 128	Section 129	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power, as an administering authority, to agree to extend the applicant's information request response period.	Sections 145 and 147	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power, as an administering authority, to determine not to make an information request.	Section 148(b)(i)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to decide to allow or not allow substantial compliance with public notice requirements.	Section 159	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power, as an administering authority, to issue an environmental authority.	Section 172	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power, as an administering authority, to include a copy of the environmental authority in the relevant register.	Section 177	27-Feb-2018 Item F1	

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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
21.	Chief Executive Officer	Power, as an administering authority, to give an information notice to the applicant for an environmental authority.	Section 198(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power, as an administering authority, to set the submission period for the application by written notice.	Section 234	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
40.	Chief Executive Officer	Power, as an administering authority, to approve or refuse a surrender application.	Section 266	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
45.	Chief Executive Officer	Power, as an administering authority, to give notice of the decision under section 295(1).	Section 296	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
49.	Chief Executive Officer	Power, as an administering authority, to require a change of the amount of a financial assurance.	Section 306	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
53.	Chief Executive Officer	Power, as an administering authority, to change an anniversary day for an environmental authority.	Section 311	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
56.	Chief Executive Officer	Power to make submissions about a proposed ERA standard.	Section 318A	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
64.	Chief Executive Officer	Power, as an administering authority, to require a person to conduct or commission an environmental investigation.	Section 326B	27-Feb-2018 Item F1	
65.	Chief Executive Officer	Power, as an administering authority, to ask for further information.	Section 326F	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
70.	Chief Executive Officer	Power to submit a draft transitional environmental program to the administering authority for approval.	Section 333	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
72.	Chief Executive Officer	Power to make a submission in relation to a draft transitional environmental program.	Section 335	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
74.	Chief Executive Officer	Power, as an administering authority, to seek advice, comment or information about a TEP submission.	Section 336A	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



Environmental Protection Act 1994					
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
82.	Chief Executive Officer	Power, as an administering authority, to withdraw the notice or remove the record.	Section 344F	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
86.	Chief Executive Officer	Power, as administering authority, to – • 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	27-Feb-2018 Item F1	
87.	Chief Executive Officer	Power, as administering authority, to amend, cancel or suspend a temporary emissions licence.	Section 357J	27-Feb-2018 Item F1	
88.	Chief Executive Officer	Power, as holder of a temporary emissions licence, to give written agreement to the amendment of the licence.	Section 357J	27-Feb-2018 Item F1	
89.	Chief Executive Officer	Power, as an administering authority, to issue an environmental protection order.	Section 358	27-Feb-2018 Item F1	
90.	Chief Executive Officer	Power, as an administering authority, to decide a person has a relevant connection with a company.	Section 363AB	27-Feb-2018 Item F1	
91.	Chief Executive Officer	Power, as an administering authority, to issue an environmental protection order to a related person of the company.	Section 363AC	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
93.	Chief Executive Officer	Power, as an administering authority, to issue a cost recovery notice to the recipient.	Section 363AI	27-Feb-2018 Item F1	

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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
94.	Chief Executive Officer	Power, as an administering authority, to claim the amount from the recipient as a debt.	Section 363A(7)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
107.	Chief Executive Officer	Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 452	27-Feb-2018 Item F1	
108.	Chief Executive Officer	Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 454	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
110.	Chief Executive Officer	Power, as the occupier of access land, to consent to an authorised person's entry onto the land.	Section 455	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
112.	Chief Executive Officer	Power, as an administering authority, to waive payment of costs of investigation or remediation work.	Section 489	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
117.	Chief Executive Officer	Power, as the administering authority, to: (a) accept or reject an enforceable undertaking; (b) give 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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
119.	Chief Executive Officer	Power, as the administering authority, to amend an enforceable undertaking by written agreement.	Section 510	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
126.	Chief Executive Officer	Power, as a dissatisfied person, to apply for a review of an original decision.	Section 521	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
131.	Chief Executive Officer	Power, as an administering authority, to prepare and submit a report to the chief executive.	Section 546	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
133.	Chief Executive Officer	Power to consult with the chief executive about guidelines the chief executive proposes.	Section 549(3)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
139.	Chief Executive Officer	Power, as an administering authority, to amend a condition about financial assurance imposed under Chapter 13 Part 7.	Section 634	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



<i>Environmental Protection Act 1994</i>					
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

<i>Environmental Protection Regulation 2008</i>					
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power, as a receiver, to record the prescribed information about the waste.	Section 81K(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, as a receiver, to record the prescribed information about the waste.	Section 81O(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power, as a generator, to give the prescribed information about the waste to the administering authority.	Section 81R(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to apply to the administering executive for a generator identification number.	Section 81ZB	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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: <ul style="list-style-type: none"> (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. <p>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)</p>	Section 81ZL	27-Feb-2018 Item F1	
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. <p>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)</p>	Section 81ZM	27-Feb-2018 Item F1	
25.	Chief Executive Officer	Power to administer and enforce chapter 5A, part 2. <p>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)</p>	Section 81ZS	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power, as the owner, operator or controller of a waste facility, to administer and enforce chapter 5A, part 3. <p>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)</p>	Section 81ZT	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
33.	Chief Executive Officer	Power to administer and enforce those provisions of the Act devolved to Council.	Sections 98, 99, 100 and 101, 102	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
36.	Chief Executive Officer	Power to administer and enforce former environmentally relevant activities devolved to Council.	Section 156	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to comply with a requisition notice.	Section 69	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to implement an off-site emergency plan.	Section 101	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



<i>Fire and Emergency Service Act 1990</i>					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to consult with an authorised officer about a notice under section 104I(7) or (8).	Section 104I(9)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to give the owner of a prescribed property a levy notice.	Section 112(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power to amend, revoke or revoce and give a new levy notice if the chief executive allows an appeal.	Section 113(6)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to prepare and submit a return in the approved form	Section 118(4)	27-Feb-2018 Item F1	
24.	Chief Executive Officer	Power to refuse or grant, subject to any conditions, an application to pay contributions by instalments.	Section 121(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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<i>Fire and Emergency Service Act 1990</i>					
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)	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power to nominate a person to be the local controller for an SES unit.	Section 134(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power to consult with the commissioner about the appointment of a person as a SES coordinator.	Section 136(4)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power to nominate a person to be a ES unit coordinator.	Section 146(2)	27-Feb-2018 Item F1	
35.	Chief Executive Officer	Power to produce to an authorised person any document or record mentioned in subsection (2)(b).	Section 152C(4)	27-Feb-2018 Item F1	

<i>Food Act 2006</i>					
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power to require the applicant to give Council further information or documents that Council reasonably requires.	Section 59(1)(b)	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to extend the time needed to make a decision about the application.	Section 62(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power to issue a provisional licence, at any time prior to deciding an application for a licence.	Section 64	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to decide the term of the licence. (Note: not more than 3 years).	Section 67	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to decide the term of the provisional licence. (Note: not more than 3 months).	Section 68(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to impose reasonable conditions on the licence.	Section 69(1)(e)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to give a show cause notice.	Section 79(2)	27-Feb-2018 Item F1	
24.	Chief Executive Officer	Power to consider representations about a show cause notice.	Section 80(2)	27-Feb-2018 Item F1	
25.	Chief Executive Officer	Power to end the show cause process after considering representations made by the licensee.	Section 81	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to cancel a licence after considering representations (if any).	Section 82(2)(b)	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power to suspend a licence immediately.	Section 83(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
33.	Chief Executive Officer	Power to consider and grant, or refuse to grant, an application for a replacement licence.	Section 97	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power to consider an application and to accredit, or refuse to accredit, the food safety program.	Section 103(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
37.	Chief Executive Officer	Power to give an information notice to the applicant where the application is refused under section 107.	Section 107(4)	27-Feb-2018 Item F1	
38.	Chief Executive Officer	Power to decide that more time is needed to make a decision about the application.	Section 108(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
41.	Chief Executive Officer	Power to determine changes to the frequency of compliance audits for a food safety program accredited by Council.	Section 110	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
44.	Chief Executive Officer	Power, by notice, to direct the holder of a Council accredited food safety program to amend the program.	Section 114	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
46.	Chief Executive Officer	Power to consider representations about a show cause notice.	Section 119	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
48.	Chief Executive Officer	Power to cancel the accreditation of a food safety program.	Section 121 (2)	27-Feb-2018 Item F1	
49.	Chief Executive Officer	Power to conduct a nonconformance audit of a food safety program.	Section 160(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
51.	Chief Executive Officer	Power, as the 'reviewer', to review an original decision under Chapter 3 or Chapter 4 of the Food Act 2006.	Section 237	27-Feb-2018 Item F1	
52.	Chief Executive Officer	Power, as reviewer, to, at any time, extend the time to apply for a review.	Section 238(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power, as a road manager, to consent to the granting of an HML permit.	Sections 22(1)(b) and 23	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, as a road manager, to consent to amendment of an HML permit.	Section 29(4)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power, as a road manager, to consent to a declaration of the regulator pursuant to section 40.	Section 41(1)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power, as a road manager, to apply to the Court for a compensation order.	Section 611(2)	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power, as a public authority, to sign a certificate.	Section 612(2)(c)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as a funded provider, to comply with the prescribed requirements.	Section 34	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power, as a funded provider who has received a compliance notice, to comply with the notice.	Section 35(5)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power, as a registered provider, to pay the expenses of a statutory manager.	Section 38E(1)	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power to consent to the release of information concerning Council by the registrar.	Section 38H(b)	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power, as a funded ancillary provider, to pay the amount of an administration cost.	Section 59	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power, as a funded provider, to repay the amount to the Chief Executive.	Section 8(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power, as an accommodation provider, to comply with a condition imposed by the Chief Executive.	Section 37(6)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power, as agency, to give access to a document created after the application for access is received.	Section 47	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power, as agency, to give prescribed written notice of the decision.	Section 53(6)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
43.	Chief Executive Officer	Power, as agency, after considering an amendment application, to decide whether amendment of the document is permitted.	Section 70	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
48.	Chief Executive Officer	Power, as agency, to waive an access charge.	Sections 80, 81 and 82	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
50.	Chief Executive Officer	Power, as agency, to extend the period in which an applicant may access a document.	Section 84(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
57.	Chief Executive Officer	Power, as agency, to apply to the information commissioner for declaration that at person is a vexatious applicant.	Section 127	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power, as an applicant under section 13B(1), to appeal against the refusal of the application.	Section 13B(6)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power, as an applicant under section 23A(1), to appeal against the Minister's decision.	Section 23A(6)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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 Land Act 1994.	Section 25(2)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power, as lessee or registered owner, to buy a forest entitlement area under sections 24 and 25.	Section 26B(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power, to apply to the Minister for the dedication of a reserve.	Section 31C(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.	Section 32	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to apply to the Minister to revoke the dedication of all or part of a reserve.	Section 34(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power, as trustee of an operational reserve, to apply for a deed of grant over the reserve.	Section 34I(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.	Section 38A(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
33.	Chief Executive Officer	Power to accept appointment as trustee.	Section 44	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power, as trustee, to advise the chief executive of change in details.	Section 45	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
36.	Chief Executive Officer	Power to take all necessary action for the maintenance and management of trust land.	Sections 52(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
38.	Chief Executive Officer	Power, as trustee, to apply to surrender all or part of a deed of grant in trust.	Section 55A(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
44.	Chief Executive Officer	Power to seek the Minister's approval to amend a trustee lease.	Section 57A(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
47.	Chief Executive Officer	Power, as trustee, to issue a trustee permit to use all or part of the trust land.	Section 60(1)	27-Feb-2018 Item F1	
48.	Chief Executive Officer	Power to lodge a trustee permit in the appropriate register.	Section 60(3)	27-Feb-2018 Item F1	



<i>Land Act 1994</i>					
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
53.	Chief Executive Officer	Power to allow the trustee lessor 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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
57.	Chief Executive Officer	Power to ask the Minister that a cemetery on trust land be closed to further burials.	Section 81(1)	27-Feb-2018 Item F1	
58.	Chief Executive Officer	Power to ask the Minister to re-open a cemetery previously closed for further burials.	Section 81(4)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
62.	Chief Executive Officer	Power to apply for land to be dedicated as a road for public use.	Section 94(2)	27-Feb-2018 Item F1	
63.	Chief Executive Officer	Power to apply to the Minister to permanently close a road.	Section 99(1)	27-Feb-2018 Item F1	
64.	Chief Executive Officer	Power to apply to the Minister to temporarily close a road.	Section 99(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
66.	Chief Executive Officer	Power to object to a road closure application in response to a public notice.	Section 100	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
70.	Chief Executive Officer	Power, as registered owner, to appeal against any conditions the Minister imposes under section 420I.	Section 109A(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
74.	Chief Executive Officer	Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420I.	Section 109B(4)	27-Feb-2018 Item F1	
75.	Chief Executive Officer	Power to apply for an interest in land that may be granted without competition.	Section 120A(1)	27-Feb-2018 Item F1	
76.	Chief Executive Officer	Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.	Section 154	27-Feb-2018 Item F1	
77.	Chief Executive Officer	Power, as lessee, to apply for extension of a term lease (40 years).	Section 155A(2)	27-Feb-2018 Item F1	
78.	Chief Executive Officer	Power, as lessee, to apply for extension of a term lease (50 years).	Section 155B(2)	27-Feb-2018 Item F1	
79.	Chief Executive Officer	Power, as lessee, to apply for extension of a term lease (75 years).	Section 155BA(2)	27-Feb-2018 Item F1	
80.	Chief Executive Officer	Power, as lessee, to apply for an offer of a new lease (a renewal application).	Section 158	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
87.	Chief Executive Officer	Power, as lessee, to apply for approval to subdivide the lease.	Section 176(1)	27-Feb-2018 Item F1	
88.	Chief Executive Officer	Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.	Section 176E	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
91.	Chief Executive Officer	Power to give the chief executive an opinion in respect of a proposed road closure.	Section 176N	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
93.	Chief Executive Officer	Power to apply for a permit to occupy unallocated State land, a reserve or a road.	Section 177A(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
97.	Chief Executive Officer	Power, as a relevant entity, to apply to surrender or cancel a permit to occupy.	Section 180A	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
99.	Chief Executive Officer	Power, as a permittee, to remove improvements with the chief executive's written approval.	Section 180H(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
103.	Chief Executive Officer	Power to make submissions to the Minister in response to a warning notice.	Section 214A	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
110.	Chief Executive Officer	Power, as lessee, to appeal against the Minister's decision on compensation payable.	Section 226(5)	27-Feb-2018 Item F1	
111.	Chief Executive Officer	Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.	Section 230(2)	27-Feb-2018 Item F1	
112.	Chief Executive Officer	Power, as owner, to appeal against the Minister's decision on compensation payable.	Section 232(5)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
115.	Chief Executive Officer	Power, as a local government, to apply to the Minister to sell a lease.	Section 240G	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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 on Council's behalf.	Section 288(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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Land Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
126.	Chief Executive Officer	Power, as a registered owner, to apply to the Minister to surrender freehold land.	Section 327B	27-Feb-2018 Item F1	
127.	Chief Executive Officer	Power, as a lessee, to apply to the Minister to surrender all or part of a lease.	Section 327C(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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 327I(1)	27-Feb-2018 Item F1	
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 327I(2)	27-Feb-2018 Item F1	
131.	Chief Executive Officer	Power, as lessee, to give notice of the intention to surrender a lease.	Section 329(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
134.	Chief Executive Officer	Power to seek the Minister's approval to amend a sublease.	Section 336	27-Feb-2018 Item F1	
135.	Chief Executive Officer	Power, as party to a sublease, to ask the chief executive to refer the dispute to mediation.	Section 339B	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
148.	Chief Executive Officer	Power to make a submission in response to a notice received under the Act about a proposed application.	Section 420CB	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
150.	Chief Executive Officer	Power to apply to the Minister for a review of a decision.	Section 423	27-Feb-2018 Item F1	
151.	Chief Executive Officer	Power to appeal to the Court against a decision.	Section 427	27-Feb-2018 Item F1	
152.	Chief Executive Officer	Power to make a local law stating use conditions that apply to a declared beach area.	Section 431T	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



<i>Land Act 1994</i>					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

<i>Land Valuation Act 2010</i>					
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

<i>Liquor Act 1992</i>					
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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to apply appeal a decision of the tribunal to the Court of Appeal.	Section 35	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to make comments in regard to the grant of an adult entertainment permit.	Section 107D(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to comment about an application relating to a restricted area.	Section 117A	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power to make comment in regard to the grant of an application generally.	Section 121(1)(c)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to consult with relevant government entities about the overall State interest in a proposed local law.	Section 29A(3)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to conduct a public benefit assessment of a new significant business activity	Section 46(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power to give the owner of land a notice of intention to acquire land.	Section 61	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to decide a claim for compensation for a notice of intention to acquire land.	Section 62	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to assess compensation for acquisition of land.	Section 64	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to withdraw notice of intention to acquire land.	Section 65(4)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power to acquire land that adjoins a road for use as a footpath.	Section 67	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to publish notice of closing of road.	Section 69(3)	27-Feb-2018 Item F1	



<i>Local Government Act 2009</i>					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power to recover an amount of compensation payable under subsection 72(3)(b)(ii) in a court.	Section 72(5)	27-Feb-2018 Item F1	
35.	Chief Executive Officer	Power to categorise the roads in the local government area according to the surface of the road.	Section 73	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



<i>Local Government Act 2009</i>					
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
46.	Chief Executive Officer	Power to establish an efficient and effective internal audit function.	Section 105(1)	27-Feb-2018 Item F1	
47.	Chief Executive Officer	Power to maintain public liability insurance and professional indemnity insurance.	Section 107(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
53.	Chief Executive Officer	Power to give each local government worker an identity card.	Section 138A(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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<i>Local Government Act 2009</i>					
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	
62.	Chief Executive Officer	Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into LGIASuper.	Section 219(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
64.	Chief Executive Officer	Power, as a local government other than the Brisbane City Council, to comply with a notice giving by the LGIASuper Trustee under subsection 219A(1).	Section 219A	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



<i>Local Government Act 2009</i>					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
76.	Chief Executive Officer	Power to sign a document on behalf of a local government as a delegate of the local government.	Section 236	27-Feb-2018 Item F1	
77.	Chief Executive Officer	Power to effect substituted service.	Section 239	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

<i>Local Government Regulation 2012</i>					
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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to identify and assess each new significant business activity for possible reform involving full cost pricing, commercialising, or corporatising the activity.	Section 18	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



<i>Local Government Regulation 2012</i>					
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)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to ensure the public can inspect a copy of the report given to Council under section 52.	Section 53	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to give notice of the resolution to the entities listed in the subsection.	Section 55(4)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to establish a register of business activities to which the competitive neutrality principle applies.	Section 56(1)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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. <i>Nb. this section is only required where Council is levying differential general rates.</i>	Section 81(4)	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to decide what rating category the land referred to in subsection (1) should be in. <i>Nb. this section is only required where Council is levying differential general rates.</i>	Section 82(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



<i>Local Government Regulation 2012</i>					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to levy rates or charges by a rate notice.	Sections 104, 105, 106 107 and 108	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to determine a period considered appropriate for the issue of a rate notice.	Section 107(1)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power to accept an application from a ratepayer made under subsection (1)(a).	Section 122(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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<i>Local Government Regulation 2012</i>					
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power to recover overdue rates or charges by bringing Court proceedings for a debt.	Section 134	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
42.	Chief Executive Officer	Power to use the proceeds of sale of the land for the purposes and in the order specified.	Section 146	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
45.	Chief Executive Officer	Power to decide any other information considered appropriate for inclusion in a land record.	Section 154(2)(e)	27-Feb-2018 Item F1	
46.	Chief Executive Officer	Power to decide the reasonable fee to inspect the land record kept by Council.	Section 155(1)	27-Feb-2018 Item F1	
47.	Chief Executive Officer	Power to record the details of the new owner in the land record.	Section 162	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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<i>Local Government Regulation 2012</i>					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
55.	Chief Executive Officer	Power to publish an availability notice.	Section 202(2)	27-Feb-2018 Item F1	
56.	Chief Executive Officer	Power to publish a notice after an amount has been allocated from a councillor's discretionary funds.	Section 202(7)	27-Feb-2018 Item F1	
57.	Chief Executive Officer	Power to establish separate accounting records for Council's:- (a) operations; and (b) its trust fund.	Section 203	27-Feb-2018 Item F1	
58.	Chief Executive Officer	Power to prepare a financial report.	Section 204	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
60.	Chief Executive Officer	Power to appoint the members of the audit committee.	Section 210	27-Feb-2018 Item F1	
61.	Chief Executive Officer	Power to give the financial statements referred to in subsections (1) and (2) to the auditor-general.	Section 212	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
63.	Chief Executive Officer	Power to set the value limit for valuable non-current assets other than land.	Section 224(7) (b)	27-Feb-2018 Item F1	
64.	Chief Executive Officer	Power to invite written quotes for a medium-sized contractual arrangement.	Section 225(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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<i>Local Government Regulation 2012</i>					
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
72.	Chief Executive Officer	Power to put together an approved contractor list.	Section 231(4)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
74.	Chief Executive Officer	Power to establish a register of pre-qualified suppliers of particular goods or services by inviting tenders.	Section 232(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
76.	Chief Executive Officer	Power to establish a preferred supplier arrangement by inviting tenders.	Section 233(3) to (8)	27-Feb-2018 Item F1	
77.	Chief Executive Officer	Power to enter into a contract for goods and services under an LGA arrangement.	Section 234(1)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



<i>Local Government Regulation 2012</i>					
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
82.	Chief Executive Officer	Power to notify of the adoption of an expenses reimbursement policy in the way specified in section 251.	Section 251	27-Feb-2018 Item F1	
83.	Chief Executive Officer	Power to give written notice of each meeting or adjourned meeting of Council to each councillor.	Section 258	27-Feb-2018 Item F1	
84.	Chief Executive Officer	Power to allow a councillor to take part in a meeting by teleconferencing.	Section 276(2)	27-Feb-2018 Item F1	
85.	Chief Executive Officer	Power to publish the notice mentioned in subsection (1).	Sections 277(1) and (2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
89.	Chief Executive Officer	Power, as a former employer, to provide the new employer with the information specified in subsection (3).	Sections 287(3)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as a public land authority, to vary any condition it has imposed.	Section 59(7)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power, as a public land authority for land, to give a waiver of entry notice.	Section 60(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power, as a public road authority for a public road, to give a road use direction.	Section 64(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power, as an eligible claimant, to enter a conduct and compensation agreement with the resource authority holder.	Section 83(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power, as an eligible claimant, to agree to a longer negotiation period.	Section 85(2)(b)	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power, as an eligible claimant, to enter an opt-out agreement.	Section 85(4)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power, as an eligible claimant, to give an election notice.	Section 88(2)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power, as a public road authority for a public road, to enter a road compensation agreement.	Section 94(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
54.	Chief Executive Officer	Power to lodge an objection to an application for grant of a mining lease.	Sections 260(1) and (2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
56.	Chief Executive Officer	Power to withdraw an objection lodged against an application for grant of a mining lease.	Section 261(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
66.	Chief Executive Officer	Power, as the owner of land, to enter a compensation agreement.	Section 345(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
9.	Chief executive officer	Power, as an operator of a mine, to keep a mine record and make it available for inspection.	Section 59	27-Feb-2018 Item F1	
10.	Chief executive officer	Power, as a former operator, to give the new operator the mine record for the mine.	Section 59(5)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
16.	Chief executive officer	Power, as a person of whom the requirement is made, to comply with the requirement.	Section 143(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
18.	Chief executive officer	Power, as a person of whom a document production requirement has been made, to comply with the requirement.	Section 152	27-Feb-2018 Item F1	
19.	Chief executive officer	Power, as a person of whom a document certification requirement has been made, to comply with the requirement.	Section 153	27-Feb-2018 Item F1	
20.	Chief executive officer	Power, as a person to whom a directive is given, to comply with the directive.	Section 171(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
22.	Chief executive officer	Power, as a person required to give primary information under subsection (1), to comply with the requirement.	Section 195A(3)	27-Feb-2018 Item F1	
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,	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief executive officer	Power, as a responsible person for a mine, to pay a safety and health fee.	Section 11C(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
5.	Chief executive officer	Power, as a responsible person for a mine, to make submissions to the chief executive.	Section 11E(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

Nature Conservation (Administration) Regulation 2017

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

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, 28, 29, 30	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to apply for the amendment of a relevant authority.	Section 58	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to make representations in response to a notice issued by the Chief Executive pursuant to this section.	Section 60	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to make representations in response to a notice issued by the Chief Executive pursuant to this section.	Section 65	27-Feb-2018 Item F1	


Nature Conservation (Administration) Regulation 2017

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

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
5.	Chief Executive Officer	Power to return a relevant authority to the chief executive.	Sections 66(2), 67(2) and 68	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to apply to the Chief Executive for replacement of a damaged, destroyed, lost or stolen relevant authority.	Section 80	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to surrender a relevant authority to the Chief Executive.	Section 81	27-Feb-2018 Item F1	
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 116 and 118	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power, as a person who is given, or is entitled to be given, a notice under section 117(3) about a decision, to apply to QCAT for external review of the decision.	Section 119	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power to give a return of operations to the chief executive.	Section 143	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to keep a copy of a return of operations given to the chief executive.	Section 145	27-Feb-2018 Item F1	
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 146	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	


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
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as a landholder, to request the cancellation of a conservation agreement.	Section 47(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, as a landholder of land subject to an interim conservation order, to claim compensation.	Section 108(1)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power, as a landholder, to make a submission about a draft management plan.	Section 115A(3)(c)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



Peaceful Assembly 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 nominate an officer of Council as a "representative".	Section 4	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power, as a local authority, to give a notice under subsection (2)(b) and impose conditions in the notice.	Sections 10(2)(b) and 11	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as an owner or occupier, to give a notice under subsection (2)(c).	Section 10(2)(c)	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power, as a relevant authority, to consult under subsections (4) or (5).	Sections 11(4) or (5)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power, as a relevant authority, to apply to a Magistrates Court for an order refusing to authorise the holding of the assembly.	Section 12	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power, as a relevant authority, to consult with each interested person.	Section 13(1)(c)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, as a relevant authority, to engage in a mediation process.	Section 13(1)(d)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power, in the circumstances provided in subsection (3), to:- (a) fix a reasonable time and place for holding the consultations; and cause a notice of the time and place to be published in a newspaper circulating in the area in which the assembly is proposed to be held.	Section 13(3)	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power, as a relevant authority, to notify the organiser in writing that it does not oppose the holding of the assembly.	Section 15(1)	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power, as a relevant authority, to participate in a mediation process.	Section 15(2)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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 given by the chief executive or in the Minister's rules.	Sections 18, 20 and 26	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.

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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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power, as the owner of premises, to give written consent to the making of the development application.	Section 51(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to consult with the Minister about making or amending the instrument mentioned in subsection (8)(c).	Section 64(9)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power, as the owner of land, to give written consent to the cancellation application.	Section 84(3)(b)(i)	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power, as a public utility, to give written consent to the cancellation application.	Section 84(3)(b)(iii)	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power, as the owner of land, to give written consent to the extension application.	Section 86(2)(b)(ii)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power to comply with a direction given by the Minister.	Section 93(2)	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
32.	Chief Executive Officer	Power, as the decision-maker, to give the Minister reasonable help.	Section 105(3)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power to carry out the steps required after making a charges resolution.	Section 118	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
44.	Chief Executive Officer	Power, as a local government, to impose a development condition about non-trunk infrastructure.	Section 145	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
47.	Chief Executive Officer	Power, as an enforcement authority, to give a show cause notice.	Section 167	27-Feb-2018 Item F1	
48.	Chief Executive Officer	Power, as an enforcement authority, to give an enforcement notice.	Section 168	27-Feb-2018 Item F1	
49.	Chief Executive Officer	Power to consult with a private certifier before giving an enforcement notice.	Section 169	27-Feb-2018 Item F1	
50.	Chief Executive Officer	Power to give notice of the giving or withdrawal of an enforcement notice to the chief executive.	Section 170	27-Feb-2018 Item F1	
51.	Chief Executive Officer	Power to bring offence proceedings for an offence against the Act.	Section 174	27-Feb-2018 Item F1	
52.	Chief Executive Officer	Power to consent to proceedings being brought on behalf of the corporation.	Section 175(1)(a)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
55.	Chief Executive Officer	Power to start proceedings in the P&E Court for an enforcement order.	Section 180	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
58.	Chief Executive Officer	Power, as an enforcement authority in an offence proceeding, to apply for a disposal order.	Section 214	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
60.	Chief Executive Officer	Power as an appellant to start an appeal.	Sections 229(2) and 230	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
63.	Chief Executive Officer	Power to elect to be a co-respondent in an appeal.	Section 230(6)	27-Feb-2018 Item F1	
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.	27-Feb-2018 Item F1	
65.	Chief Executive Officer	Power to give the registrar information that the registrar reasonably requires for the proceedings.	Section 246(2)	27-Feb-2018 Item F1	
66.	Chief Executive Officer	Power to appear as a party to a tribunal proceeding.	Section 248	27-Feb-2018 Item F1	
67.	Chief Executive Officer	Power to make submissions to the tribunal.	Section 249	27-Feb-2018 Item F1	
68.	Chief Executive Officer	Power to give notice to the Registrar once a tribunal's direction or order has been complied with.	Section 257	27-Feb-2018 Item F1	
69.	Chief Executive Officer	Power to give an applicant the planning and development certificate applied for.	Section 265	27-Feb-2018 Item F1	
70.	Chief Executive Officer	Power to note the registration of premises on Council's planning scheme.	Section 267(13)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power, as an assessment manager, to make the requested decision.	Schedule 11, Section 10(1)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as an assessment manager, to give notice of the decision.	Schedule 11, Section 10(2)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to give notice of the approval to the person making the request.	Schedule 18, Section 3(2)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to keep the documents listed in subsection (1) available for inspection and purchase.	Schedule 22, Section 1	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to keep the documents listed in subsection (1) available for inspection only.	Schedule 22, Section 2	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power to publish the documents listed in subsections (1) and (4) on Council's website.	Schedule 22, Section 3	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as a party to a P&E Court proceeding, to participate in an ADR process.	Section 16	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to pay the expenses, including legal costs, incurred by the representative in relation to the proceeding.	Section 41(3)	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power, as a party to a P&E Court proceeding, to appeal a decision in the proceeding.	Section 63(1)	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to apply to the Court of Appeal for leave to appeal.	Section 64(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to issue show cause 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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
38.	Chief Executive Officer	Power to keep a copy of each compliance document and make compliance documents available for inspection and purchase.	Section 143	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
40.	Chief Executive Officer	Power to monitor greywater use facilities in Council's local government area.	Section 143B	27-Feb-2018 Item F1	
41.	Chief Executive Officer	Power to monitor an on-site sewerage facility installed for testing purposes in seweraged areas in Council's local government area.	Section 143C	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to consider all applications for licences, and determine whether to grant or refuse the application.	Section 33	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to impose conditions on a licence.	Sections 38(2) and 41(1)(c)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to decide the earlier ending date of a licence.	Section 40	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to issue a 'show cause notice'.	Section 52	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to appoint authorised persons.	Section 70	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
25.	Chief Executive Officer	Power to issue an identity card to an authorised person.	Section 74	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
32.	Chief Executive Officer	Power to deal with a thing forfeited to Council, including destroying the thing.	Section 140	27-Feb-2018 Item F1	
33.	Chief Executive Officer	Power to commence proceedings against a person who has committed an offence against the Act.	Section 143	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power to approve forms to be used in the administration and enforcement of the Act.	Section 147	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

¹ Excludes SE Qld Councils



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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to deal with a thing forfeited as Council considers appropriate, including destroying the thing.	Section 446	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power to recover contribution from a prescribed person.	Section 454B(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to give notice of the proceeding to the State.	Section 454CA(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to keep the records prescribed in subsections 454I(1), (2) for each asbestos-related event.	Section 454I	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to approve a site for the disposal of asbestos waste.	Section 2I(2)(c)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to refer a disclosure to another public sector entity in certain circumstances.	Section 31(1) and (2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to ensure the safe custody and preservation of Council's records.	Section 8(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to give written notice to the State archivist of a restricted access period for a public record.	Section 16	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power to make an arrangement with the State archivist for the storage of public records.	Section 28	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to make oral representations to the Heritage Council about the recommendation.	Section 46(2)(a)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power, as the owner, to make a written response to the Heritage Council about the recommendation.	Section 46(2)(b)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power, as the owner, to consult with the chief executive about a proposed destroyed place recommendation.	Section 46A(1)(c)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to request and make oral representations to the Heritage Council about the recommendation.	Sections 49 and 50	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power, as the owner, to give the Council a heritage response to the heritage recommendation.	Section 50A	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to make a submission about development the State proposes to carry out on a Queensland heritage place.	Section 71	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power, as the owner of a Queensland heritage place, to comply with a repair and maintenance notice.	Section 84(6)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to apply to QCAT for an external review of a compensation decision.	Section 98	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power to appeal to the Planning & Environment Court in relation to those matters listed in subsection (1).	Section 111	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power, as a person identified in subsection (1), to appeal to the Planning & Environment Court against the decision.	Section 161	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to agree about the declaration of acquisition land.	Section 43(7)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to give the authority a written recommendation to impose a condition for infrastructure.	Section 53(4)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to comply with a direction of the Minister given under section 112.	Section 112	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to approve the form to be used for an application under section 29(1) Residential Services (Accreditation) Act 2002.	Section 29(2)(a)	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to prepare a residential tenancy agreement in the way required by section 61.	Section 61	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to give to the tenant a residential tenancy agreement prepared for section 61 for signing.	Section 62(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to prepare a rooming accommodation agreement in the way required by section 77.	Section 77	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to give the document prepared for section 77 to the resident for signing.	Section 78(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power to give and sign a receipt for payment of rent.	Section 88	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to make a written record of the payment of rent.	Section 88(5)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power to give a receipt for the payment of rent.	Section 102	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to make a written record of the payment of rent paid.	Section 102(5)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power to agree to a reduction in rent because of the resident's absence.	Section 107	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
35.	Chief Executive Officer	Power to apply to the Residential Tenancies Authority for payment of a rental bond.	Section 125	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
39.	Chief Executive Officer	Power to withdraw an application to the Residential Tenancies Authority for the payment of a rental bond.	Section 140	27-Feb-2018 Item F1	
40.	Chief Executive Officer	Power to sign and give a receipt for a rental bond.	Section 145	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
42.	Chief Executive Officer	Power to apply to a tribunal disputing the amount being treated as a rental bond.	Section 155(3)	27-Feb-2018 Item F1	
43.	Chief Executive Officer	Power to require a prospective tenant to pay a key deposit.	Section 156	27-Feb-2018 Item F1	
44.	Chief Executive Officer	Power to give a receipt for a key deposit that was paid by a prospective tenant.	Section 157	27-Feb-2018 Item F1	
45.	Chief Executive Officer	Power to refund a key deposit in full when the key is returned.	Section 158	27-Feb-2018 Item F1	
46.	Chief Executive Officer	Power to require a prospective tenant to pay a holding deposit for a tenancy of premises.	Section 159	27-Feb-2018 Item F1	
47.	Chief Executive Officer	Power to give a receipt for a holding deposit.	Section 160	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
54.	Chief Executive Officer	Power to ask the tenant the tenant's name or place of employment.	Section 205	27-Feb-2018 Item F1	
55.	Chief Executive Officer	Power to ask the tenant in writing to state the tenant's new residential address.	Section 205(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
62.	Chief Executive Officer	Power to apply to a tribunal about a lock or key for the premises.	Section 213(1)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
65.	Chief Executive Officer	Power to give a notice to relocate to another site in the moveable dwelling park to the tenant.	Section 223	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
68.	Chief Executive Officer	Power to give a notice proposing a change to a park rule to residents of the park.	Section 229	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
70.	Chief Executive Officer	Power to be Council's nominee on the park liaison committee.	Section 231(3) (b)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
85.	Chief Executive Officer	Power to agree to change or repair a lock at the request of a resident.	Section 251	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
89.	Chief Executive Officer	Power to enter a resident's room, for any reason, if the resident agrees.	Section 257(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
95.	Chief Executive Officer	Power to give a written notice of proposed rule change for rental premises.	Section 270(1)	27-Feb-2018 Item F1	
96.	Chief Executive Officer	Power to give a written notice withdrawing the proposed rule change.	Section 271	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
98.	Chief Executive Officer	Power to apply to a tribunal for an order declaring the proposed rule change to be reasonable.	Section 273(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
101.	Chief Executive Officer	Power to give a person a copy of the house rules for the premises.	Section 275	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
103.	Chief Executive Officer	Power to end a residential tenancy agreement by written agreement with the tenant.	Section 277(2)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
106.	Chief Executive Officer	Power to give a tenant a notice to remedy breach.	Section 280	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
110.	Chief Executive Officer	Power to remedy a lessor's breach following receipt of a notice to remedy breach from the tenant.	Section 303	27-Feb-2018 Item F1	
111.	Chief Executive Officer	Power to withdraw a notice to leave for unremedied breach.	Section 333(1)	27-Feb-2018 Item F1	
112.	Chief Executive Officer	Power to agree to the tenant withdrawing a notice of intention to leave the premises.	Section 334(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
114.	Chief Executive Officer	Power to give an abandonment termination notice to the tenant terminating the agreement.	Section 355(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
122.	Chief Executive Officer	Power to give documents left on the premises in the ways prescribed under section 364.	Section 364	27-Feb-2018 Item F1	
123.	Chief Executive Officer	Power to agree with a resident, by written agreement, to end a rooming accommodation agreement.	Section 366(2)	27-Feb-2018 Item F1	
124.	Chief Executive Officer	Power to end a rooming accommodation agreement by giving a notice under Part 2.	Section 366	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
132.	Chief Executive Officer	Power to give a notice terminating a periodic or fixed term agreement without ground.	Section 372	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
135.	Chief Executive Officer	Power to apply to a tribunal for a termination order for repeated breaches by resident.	Section 376(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
139.	Chief Executive Officer	Power to make reasonable efforts to contact a former resident about property left at the rental premises.	Section 392(2)	27-Feb-2018 Item F1	
140.	Chief Executive Officer	Power to deal with personal document or money in the ways stated in the section.	Section 392	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
150.	Chief Executive Officer	Power to be heard before the tribunal on an application regarding a dispute between co-tenants or co-residents about a rental bond for an agreement.	Section 430(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to search for a document from a backup system if Council considers the search appropriate.	Section 29(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to make an agreement with the applicant to extend the prescribed period.	Section 36(7), "prescribed period"	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power to make an agreement with an applicant to extend the prescribed consultation period.	Section 42(6)(b)	27-Feb-2018 Item F1	



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 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)	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to refuse access to a document of the Council.	Section 47(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power to give access to a document in another form agreed to by the applicant	Section 68(8)	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to allow an additional period during which a person may access a document.	Section 69(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)..."



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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to appoint a councillor to a river improvement trust.	Sections 5(1)(a), 5(1A)(a) and 5(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to appoint a councillor to a river improvement trust where the office becomes vacant.	Section 5A(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to remove a person from office as a member of a trust.	Section 5K	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to consent for the trust to appoint the chief executive officer to be its secretary.	Section 6(1A)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



Standard Plumbing and Drainage Regulation 2003		DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
NO.	DELEGATE				
4.	Chief Executive Officer	Power to request a reasonable number of copies of a plan the subject of a compliance request.	Section 14(6)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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</i> 2002, does not require a compliance permit to perform regulated work.	Section 18	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to agree to assess, and assess, notifiable work for compliance with the regulation.	Section 29A	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to determine whether an item (that an inspector is satisfied is unsuitable for a particular use) may: <ul style="list-style-type: none"> (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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to require for a supply pipe for a premises: <ul style="list-style-type: none"> (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)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to require for a supply pipe for a premises group: <ul style="list-style-type: none"> (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)	27-Feb-2018 Item F1	

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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	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power to implement and maintain a program for the registration, maintenance and testing of testable backflow prevention devices.	Section 38	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to approve the design and location of a grease arrestor.	Section 39	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to approve air-cooling equipment's connection to a supply pipe.	Section 41	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to approve hydraulic powered equipment's connection to a supply pipe.	Section 44	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power, as administering authority, to withdraw an infringement notice at any time before the fine is satisfied in full and take the steps required by subsection (2).	Section 28(1) and (2)	27-Feb-2018 Item F1	



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 an approved sponsor, to apply to the registrar on behalf of the subject applicant for a work and development order to satisfy all or part of the enforceable amount of the applicant's SPER debt.	Section 32J	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power, as an approved sponsor, to undertake an eligibility assessment.	Section 32K	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, as an approved sponsor, to apply to SPER on behalf of the individual for an increase in the order amount.	Section 32O	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power, as an approved sponsor, to withdraw the work and development order because the approved sponsor is unable to continue as the approved sponsor.	Section 32P	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power, as the recipient of a notice under section 32L, 32O or 32Q, to apply, as provided under the QCAT Act, to QCAT for a review of the decision.	Section 32S	27-Feb-2018 Item F1	
10.	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)	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power, as an approved sponsor who has the agreement of the debtor, to apply on behalf of the debtor under part 3B for:- (a) work and development order to satisfy the amount of the order; or (b) if the debtor is subject to a work and development order – a variation of the order.	Section 41(2)	27-Feb-2018 Item F1	
12.	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)	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power, as an employer who pays earnings to an employee for whom a fine collection notice for redirection of the enforcement debtor's earnings is in force, to when paying the earnings, deduct an amount from the earnings as required under Part 5, Division 4.	Section 81	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power, as an employer who deducts an amount from an employee's earnings under a fine collection notice, to pay the amount to the registrar and give to the registrar a return in the approved form.	Section 84(1)	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power, as an employer who does not deduct an amount from an employee's earnings under a fine collection notice, give to the registrar a return in the approved form.	Section 84(2)	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power, as an employer who pays earnings to an employee while a fine collection notice relating to the employee is in force, to give the employee the written notice required under the subsection.	Section 84(3)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power, where an employee to whom a fine collection notice relates stops being an employee while the notice is in force, to give the registrar the written notice of that fact.	Section 84(4)	27-Feb-2018 Item F1	
18.	Chief Executive Officer	Power, as an employer, to keep the records required to be kept by this section.	Section 94	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power, as an administering authority, to state any matter in subsection (2) is evidence of the matter.	Section 157(2)	27-Feb-2018 Item F1	

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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
20.	Chief Executive Officer	Power, as an administering authority, to request the Registrar to give a certificate under subsection (3).	Section 157(4)	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to approve forms for use as infringement notices.	Section 162	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
5.	Chief Executive Officer (Please note that this power applies to <u>all</u> Councils except 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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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
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	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power, as a statutory body, to sign documents for a financial arrangement under the Act.	Section 62(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to grant or refuse an application for a stock route agistment permit.	Section 118	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to grant or refuse an application to renew a stock route agistment permit.	Section 123	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to impose on a stock route agistment permit the reasonable conditions it decides.	Section 126	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to amend the conditions of a stock route agistment permit.	Section 127	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power to cancel a stock route agistment permit.	Section 128	27-Feb-2018 Item F1	



Stock Route Management Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
10.	Chief Executive Officer	Power to require the holder of a stock route agistment permit to return the permit.	Section 130	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to grant or refuse an application for a stock route travel permit.	Section 136	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to impose on a stock route travel permit the reasonable conditions it decides.	Section 142	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to amend a stock route travel permit.	Section 143	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to cancel a stock route travel permit.	Section 144	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power to issue a fencing notice.	Section 149	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to give a mustering notice.	Section 156	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to manager and conserve pasture on its stock route network.	Section 160	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to require an owner to reduce the number of stock on the land.	Section 161(2)	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to consent to the burning or removal of pasture.	Section 180	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power to pay the amount to the chief executive in the stated period.	Section 187(5)	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to pay half of the amounts referred to in subsection (1) to the department.	Section 187A	27-Feb-2018 Item F1	



Stock Route Management Act 2002					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
28.	Chief Executive Officer	Power to provide any information that the Minister may require 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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



Survey and Mapping Infrastructure Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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
1.	Chief Executive Officer	Power, as a local government, to amend a planning scheme to reflect a designated region's regional plan.	Section 39	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power, as a local government, to issue a written notice of Council's decision under section 96.	Section 97	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power, as a local government, to enter a Ministerial designation of land in its planning scheme.	Section 211	27-Feb-2018 Item F1	



Sustainable Planning Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	


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
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
18.	Chief Executive Officer	Power, as an owner of the land, to consent to a request to change the development approval.	Section 371	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power, as an owner of the land, to consent to an application to cancel a development approval.	Section 379(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power, as a local government, to carry out compliance assessment.	Section 399	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
25.	Chief Executive Officer	Power, as a compliance assessor, to respond to a request to withdraw or change an action notice.	Section 412	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power, as a compliance assessor, to decide a request to change a compliance permit or compliance certificate.	Section 413	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to commence proceedings in the Planning and Environment Court for declarations and orders.	Section 456	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power, as a party to a proceeding, to appeal a decision to the Court of Appeal.	Section 498	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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 .	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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) .	27-Feb-2018 Item F1	
43.	Chief Executive Officer	Power, as an assessment manager, to provide all material requested by the registrar.	Section 551	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
45.	Chief Executive Officer	Power, as an assessing authority, to give a show cause notice.	Section 588	27-Feb-2018 Item F1	
46.	Chief Executive Officer	Power, as an assessing authority, to give an enforcement notice.	Section 590	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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
58.	Chief Executive Officer	Power, as a local government, to impose a condition requiring payment of additional trunk infrastructure costs.	Section 650	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
63.	Chief Executive Officer	Power, as a local government, to impose a condition on a development approval about non-trunk infrastructure.	Section 665	27-Feb-2018 Item F1	
64.	Chief Executive Officer	Power, as a local government, to enter an infrastructure agreement.	Chapter 8 Part 4	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
69.	Chief Executive Officer	Power to make comments in relation to draft terms of reference for an environmental impact statement.	Section 691(8)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
71.	Chief Executive Officer	Power to make comments in relation to draft environmental impact statement.	Section 694 and 695	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
73.	Chief Executive Officer	Power, as a local government, to decide claims for compensation.	Sections 709 and 710	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
77.	Chief Executive Officer	Power to make submissions in response to public notification of a development for public housing.	Section 721	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
84.	Chief Executive Officer	Power, as a local government, to publish information and documents on Council's website.	Section 736	27-Feb-2018 Item F1	



Sustainable Planning Act 2009					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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)	27-Feb-2018 Item F1	
86.	Chief Executive Officer	Power, as a local government, to issue a planning and development certificate.	Section 741	27-Feb-2018 Item F1	
87.	Chief Executive Officer	Power to make submissions in response to public notification of a development application under Chapter 9 Part 7.	Section 751	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
92.	Chief Executive Officer	Power, as a local government, to impose conditions on a development approval about infrastructure.	Section 848	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


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
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to consult with the Department about a proposed local law under section 26ZPA.	Section 26ZPB	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	



<i>Transport Infrastructure (Public Marine Facilities) Regulation 2011</i>					
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

<i>Transport Infrastructure (Rail) Regulation 2006</i>					
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power, as a railway manager, to dispose of property Council reasonably considers to have been abandoned.	Section 23	27-Feb-2018 Item F1	



<i>Transport Infrastructure (Rail) Regulation 2006</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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)	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power, as a railway manager, to impose relevant conditions on a permission provided under section 31.	Section 32	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

<i>Transport Infrastructure Act 1994</i>					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to apply conditions to the erection, alteration or operation of an advertising sign or device.	Section 43(4)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



Transport Infrastructure Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
36.	Chief Executive Officer	Power to give a statutory declaration complying with subsection (3).	Sections 100(2) and 105ZJ(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
38.	Chief Executive Officer	Power to disclose, allow access to, record or use personal information under certain circumstances.	Sections 104(2) and 105ZN(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
46.	Chief Executive Officer	Power to enter into a local government tollway franchise agreement with another local government.	Section 105Y	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
50.	Chief Executive Officer	Power, as an authorised investigator, to allow an associated person to act under the investigator's authority.	Section 115(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
58.	Chief Executive Officer	Power to seek the chief executive's written approval to carry out works near a railway.	Section 168	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
66.	Chief Executive Officer	Power to enter into a sublease with the chief executive for a section of non-rail corridor land.	Section 240D	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
72.	Chief Executive Officer	Power, as an owner of land, to commence proceedings in the Land Court for compensation.	Section 240F(6)	27-Feb-2018 Item F1	
73.	Chief Executive Officer	Power, as a railway manager, to grant a sublicense in relation to an easement described in schedule 4 to a railway operator.	Section 241(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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 Transport (Rail Safety) Act 2010; or (iii) otherwise approved, authorised or permitted under this Act or another Act.	Section 255(1)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



Transport Infrastructure 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 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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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 289(2)(b)	27-Feb-2018 Item F1	
114.	Chief Executive Officer	Power to seek the return of abandoned property from a port authority or port operator.	Section 289J	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



Transport Infrastructure Act 1994					
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
127.	Chief Executive Officer	Power to construct, maintain and operate a non-State controlled road on a busway common area.	Section 303B(d)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



Transport Infrastructure Act 1994					
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



Transport Infrastructure Act 1994					
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
143.	Chief Executive Officer	Power to apply to the chief executive for accreditation as the busway manager for a busway.	Section 335AC	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
146.	Chief Executive Officer	Power, as a busway manager, to surrender Council's accreditation by written notice given to the chief executive.	Section 335AO	27-Feb-2018 Item F1	
147.	Chief Executive Officer	Power to apply to the chief executive for authorisation as an authorised busway user for a busway.	Section 337	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



Transport Infrastructure Act 1994					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



Transport Infrastructure Act 1994					
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)	27-Feb-2018 Item F1	
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 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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



Transport Infrastructure Act 1994					
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
181.	Chief Executive Officer	Power to enter into a light rail franchise agreement with the Minister.	Section 377B	27-Feb-2018 Item F1	



Transport Infrastructure Act 1994					
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
187.	Chief Executive Officer	Power to apply to the Land Court to decide a compensation claim under subsection (1).	Section 383(3)(a)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
189.	Chief Executive Officer	Power to apply to the chief executive for an investigator's authority for the land.	Section 403(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
210.	Chief Executive Officer	Power to consent to Council's appointment as a manager of a public marine facility.	Section 459(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
213.	Chief Executive Officer	Power, as the manager of a public marine facility, to resign.	Section 467	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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 475ZI(2)	27-Feb-2018 Item F1	
218.	Chief Executive Officer	Power to enter into a transport interface agreement for a transport interface.	Section 475ZJ	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
226.	Chief Executive Officer	Power to retain penalties received or recovered by Council in relation to Council's tolling enforcement.	Section 480(4)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
229.	Chief Executive Officer	Power to apply to the Queensland Civil and Administrative Tribunal ("QCAT"), as provided under the QCAT Act, for a review of the chief executive's decision on a review under section 485.	Section 485A	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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) .	27-Feb-2018 Item F1	



<i>Transport Operations (Marine Pollution) Act 1995</i>					
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)	27-Feb-2018 Item F1	

<i>Transport Operations (Marine Safety) Act 1994</i>					
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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power as a public authority to make a submission on a draft standard.	219E(3)	27-Feb-2018 Item F1	

<i>Transport Operations (Marine Safety) Regulation 2016</i>					
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

<i>Transport Operations (Road Use Management) Act 1995</i>					
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to remove unauthorised traffic signs.	Section 75(1)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to commence proceedings against a person who has injured one of Council's official traffic signs.	Section 76(1)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	

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
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to apply to the chief executive for accreditation as scheme manager for a voluntary product stewardship scheme.	Section 89	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to make a submission about a potential end of waste code	Section 160	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to make a submission about a draft end of waste code	Section 165	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to apply to amend an end of waste code	Section 168	27-Feb-2018 Item F1	
17.	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	27-Feb-2018 Item F1	
18.	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 (1)	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power to give the chief executive a notice in the approved form.	Section 173B(3)	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to make a submission in response to a notice issued by the chief executive.	Section 173D	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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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 to conduct a trial for 1 kind of waste.	Section 173I	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to comply with the conditions of an end of waste approval.	Section 173K	27-Feb-2018 Item F1	
24.	Chief Executive Officer	Power to apply to the chief executive to extend an end of waste approval.	Section 173L	27-Feb-2018 Item F1	
25.	Chief Executive Officer	Power to apply to the chief executive to amend an end of waste approval.	Section 173M	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power to apply to the chief executive to transfer an end of waste approval.	Section 173O	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to respond to a request from the chief executive for advice, comment or information about the operation of Chapter 8, Part 3.	Section 173Q	27-Feb-2018 Item F1	
28.	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	27-Feb-2018 Item F1	
29.	Chief Executive Officer	Power to respond to a show cause notice from the chief executive.	Section 173ZB	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power to surrender an approval by giving notice to the chief executive officer.	Section 173ZE	27-Feb-2018 Item F1	
31.	Chief Executive Officer	Power to respond to a notice from the chief executive requiring information about an approval.	Section 173ZF	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	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)	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	Any appointment of an authorised person must be subject to the limitation that an authorised person can only exercise the powers in section 117 and Chapter 10 of the Act in relation to the following offences: <ul style="list-style-type: none"> - Chapter 5, Parts 1, 2 and 3, Division 1 and 2 of the Act; - Section 251(a); - Section 251(c); - Section 254; and - Section 264.
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	27-Feb-2018 Item F1	
41.	Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a show cause notice.	Section 246	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	

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 Local Government Act 2009.	Section 7(b)	27-Feb-2018 Item F1	



<i>Waste Reduction and Recycling Regulation 2011</i>					
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	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to give the information required by sections 41ZL(1) and 41ZL(2) to the Chief Executive.	Section 41ZL	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to prepare an emergency plan and keep it up to date.	Section 41ZM	27-Feb-2018 Item F1	

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
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)(ii)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as a service provider, to comply with a direction given under a water supply emergency declaration.	Section 25E	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, as a service provider, to comply with a notice requiring information issued by the chief executive.	Section 25Y	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


Water Act 2000

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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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power, as an owner of land, to give the chief executive an owner's notice.	Section 36	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to respond to a notice of public consultation on a proposed water plan.	Section 44	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to make a submission on a draft water plan.	Section 46	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
18.	Chief Executive Officer	Power to make submissions in response to a notice of the making of a draft water use plan.	Section 61	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to make submissions in response to a notice of the making of a draft water entitlement notice.	Section 72	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to take water for any of the purposes referred to in section 93.	Section 93	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to interfere with water for any of the purposes referred to in section 94.	Section 94	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power as owner of land to take water for stock or domestic purposes.	Section 96	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
27.	Chief Executive Officer	Power, as a constructing authority, to take water to construct or maintain infrastructure.	Section 99(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
34.	Chief Executive Officer	Power, as an entity mentioned in subsection (1), to apply for a transmission water licence.	Section 108	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
37.	Chief Executive Officer	Power to give the chief executive evidence of the publication.	Section 112(6)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
41.	Chief Executive Officer	Power to respond to a show cause notice issued by the chief executive pursuant to subsection (3).	Section 134	27-Feb-2018 Item F1	
42.	Chief Executive Officer	Power to surrender a water licence.	Section 136	27-Feb-2018 Item F1	
43.	Chief Executive Officer	Power to apply for a water permit for an activity.	Section 137	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
45.	Chief Executive Officer	Power, licence holder, to require the allocation holder to give reasonable security for supplying and storing the allocation.	Section 149	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
53.	Chief Executive Officer	Power, as a water allocation holder, to surrender the water allocation by agreement with the chief executive.	Section 162(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
67.	Chief Executive Officer	Power, as the current infrastructure owner or incoming owner, to give written consent to the application to transfer.	Section 188	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
80.	Chief Executive Officer	Power to apply for an operations licence.	Section 206	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
82.	Chief Executive Officer	Power to apply to the chief executive to amend an operations licence.	Section 211	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	
87.	Chief Executive Officer	Power, as a licensee, to surrender an operations licence by giving the chief executive a notice of surrender	Section 216	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
93.	Chief Executive Officer	Power to apply for an allocation of quarry material.	Section 227	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
96.	Chief Executive Officer	Power, as an allocation notice holder, to apply to renew the allocation notice before it expires.	Section 236	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
101.	Chief Executive Officer	Power to prepare a draft water security program	Section 354	27-Feb-2018 Item F1	
102.	Chief Executive Officer	Power to prepare a revised draft water security program	Section 357(4)	27-Feb-2018 Item F1	


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)	27-Feb-2018 Item F1	
104.	Chief Executive Officer	Power to finalise a water security program	Section 358	27-Feb-2018 Item F1	
105.	Chief Executive Officer	Power to review a water security program	Section 359	27-Feb-2018 Item F1	
106.	Chief Executive Officer	Power to amend a water security program	Section 360	27-Feb-2018 Item F1	
107.	Chief Executive Officer	Power, as a bulk water party, to amend a bulk water supply agreement	Section 360H	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
119.	Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to attend a conference.	Section 429(1)	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
132.	Chief Executive Officer	Power to comply with a requirement of the Minister made under this subsection.	Section 700A(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
135.	Chief Executive Officer	Power, as lessor 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)	27-Feb-2018 Item F1	


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
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
139.	Chief Executive Officer	Power to give a claim for compensation under Chapter 8, Part 3 to the chief executive.	Section 988	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to give the chief executive a fluoridation notice and to publish that notice.	Section 13(3)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



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)	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power, as an applicant under section 34, to give the chief executive a transfer notice.	Section 37	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to comply with a notice issued by the chief executive under subsection (2).	Section 64(2)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to give the chief executive evidence of the publication.	Section 64(5)(a)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to comply with a meter notice issued by the chief executive.	Section 108	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to pay a meter operating charge to the chief executive.	Section 115	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to pay a meter use charge to the chief executive.	Section 116	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to pay the metering exit charge.	Section 117(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to pay a charged levied by a notice received from the chief executive pursuant to this section.	Section 134(1)(d)	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, to respond to the regulator's request to give additional information about a transfer notice.	Section 25A(3)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


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
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power, as service provider, to give a person an entry notice.	Section 36(2)(b)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
26.	Chief Executive Officer	Power, as service provider, to appoint an authorised person.	Section 45	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power, as service provider, to issue an identity card to an authorised person.	Section 46	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power, as service provider, to approve or refuse a water efficiency management plan.	Section 54(2)	27-Feb-2018 Item F1	
31.	Chief Executive Officer	Power, as service provider, to give an information notice.	Section 54(3)	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
35.	Chief Executive Officer	Power, as a service provider, to comply with a written direction of the Chief Executive	Section 57(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
39.	Chief Executive Officer	Power, as a service provider, to require a customer to review a water efficiency management plan.	Section 61	27-Feb-2018 Item F1	
40.	Chief Executive Officer	Power, as a drinking water service provider, to prepare a drinking water quality management plan.	Section 95	27-Feb-2018 Item F1	
41.	Chief Executive Officer	Power, as a drinking water service provider, to provide information requested by the regulator.	Section 96	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
43.	Chief Executive Officer	Power, as a drinking water service provider, to apply to amend a drinking water quality management plan.	Section 100	27-Feb-2018 Item F1	
44.	Chief Executive Officer	Power, as a 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	27-Feb-2018 Item F1	


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
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
57.	Chief Executive Officer	Power, as a service provider, to review a customer service standard.	Section 120	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
71.	Chief Executive Officer	Power, as sewerage service provider, to suspend or cancel a trade waste approval or seepage water approval.	Section 182	27-Feb-2018 Item F1	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	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
79.	Chief Executive Officer	Power, as a relevant entity for a recycled water scheme to apply for registration of the scheme.	Section 196AA	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
94.	Chief Executive Officer	Power, as a entity for the recycled water scheme to apply to the regulator for approval of an amendment to a recycled water management plan.	Sections 212	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	


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
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	


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
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	27-Feb-2018 Item F1	
126.	Chief Executive Officer	Power, as sewerage service provider, to comply with a regulator notice.	Section 330	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
129.	Chief Executive Officer	Power, as the owner of a dam, to have its failure impact assessed, give it to the chief executive and pay the prescribed fee.	Sections 343, 344 and 345	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
131.	Chief Executive Officer	Power, as a dam owner, to give the chief executive additional information about a failure impact assessment.	Section 349(2)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
134.	Chief Executive Officer	Power, as the owner of a referable 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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
136.	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 352L	27-Feb-2018 Item F1	
137.	Chief Executive Officer	Power, as the owner of a referable dam, to keep a copy of the approved emergency action plan for the dame 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	27-Feb-2018 Item F1	
138.	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 352O	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
149.	Chief Executive Officer	Power to comply with a compliance notice issued by the chief executive pursuant to this section.	Section 359	27-Feb-2018 Item F1	
150.	Chief Executive Officer	Power, as a dam owner, to give the chief executive the authorisation request information.	Section 379	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	


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	27-Feb-2018 Item F1	
156.	Chief Executive Officer	Power to respond to a show cause notice issued by the regulator pursuant to this section.	Section 446(3)	27-Feb-2018 Item F1	
157.	Chief Executive Officer	Power to comply with a direction issued by the regulator pursuant to this section 448.	Sections 448 and 449	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
159.	Chief Executive Officer	Power, as an interested person for an original decision, to apply for an internal review of the decision.	Section 512	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
164.	Chief Executive Officer	Power, as water service provider, to make guidelines for persons about preparing a water efficiency management plan.	Section 573	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
166.	Chief Executive Officer	Power, as a service provider, to publish each of the documents referred to in the section.	Section 575A	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to make an application to the commission to disqualify a health and safety representative.	Section 65	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to comply with the general obligations of a person conducting a business or undertaking provided in section 70.	Section 70	27-Feb-2018 Item F1	
6.	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)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to ask the regulator to appoint an inspector to decide the matter.	Section 72(5)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power as a person conducting a business or undertaking to comply with subsections (a) to (c).	Section 74	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power to establish a health and safety committee.	Sections 75 to 78	27-Feb-2018 Item F1	
10.	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	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to ask the regulator to appoint an inspector to assist in resolving the issue.	Section 82(2)	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to direct the worker to carry out suitable alternative work at the same or another workplace.	Section 87	27-Feb-2018 Item F1	
13.	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	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to give a copy of the provisional improvement notice to the regulator.	Section 97A	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to give the industrial registrar written notice of the dispute.	Section 102B	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to appeal a decision of the Commission given under Part 5, Division 7A.	Section 102G	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to apply to the Commission to revoke a WHS entry permit.	Section 138	27-Feb-2018 Item F1	
18.	Chief Executive Officer	Power to appeal a decision of the commission.	Section 140	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.	Section 141	27-Feb-2018 Item F1	

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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 to apply to the Commission for it to deal with the dispute.	Section 142(4)	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to appeal a decision of the Commission.	Section 142A	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to apply to the regulator for the return of a seized thing.	Section 180	27-Feb-2018 Item F1	
23.	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	27-Feb-2018 Item F1	
24.	Chief Executive Officer	Power to claim compensation from the State.	Section 184	27-Feb-2018 Item F1	
25.	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	27-Feb-2018 Item F1	
26.	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	27-Feb-2018 Item F1	
27.	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	27-Feb-2018 Item F1	
28.	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	27-Feb-2018 Item F1	
29.	Chief Executive Officer	Power to appeal a decision of the commission.	Section 229F	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power to, in the circumstances provided in subsections (1) or (1A), make a written request to the regulator that a prosecution be brought.	Sections 231(1) and (1A)	27-Feb-2018 Item F1	
31.	Chief Executive Officer	Power to, in the circumstances provided in subsection (3), request the regulator to refer the matter to the director of public prosecutions.	Section 231(3)	27-Feb-2018 Item F1	

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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to apply to the regulator for a licence to carry out demolition work.	Section 144B	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to make a submission to the regulator in relation to a proposed refusal	Section 144I	27-Feb-2018 Item F1	



Work Health and Safety Regulation 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to apply to the regulator for a replacement document.	Section 144U	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to prepare, maintain and review an asbestos register for each workplace.	Sections 425(1) and 426	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to prepare, maintain and review an asbestos management plan for each workplace.	Sections 429 and 430	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power, as an eligible person in relation to a reviewable decision set out in section 676 of the Work Health and Safety Regulation, to apply to the regulator for an internal review of a decision.	Section 678(1)	27-Feb-2018 Item F1	



<i>Work Health and Safety Regulation 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

<i>Workers' Compensation and Rehabilitation Act 2003</i>					
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	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power, as an employer, to pay a premium notice issued by WorkCover.	Section 54(7)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as an employer, to pay a reassessment premium notice issued by WorkCover.	Section 56(5)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power, as an employer, to object to a default assessment issued by WorkCover.	Section 58(6)	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power, as an employer, to pay a default assessment notice issued by WorkCover.	Section 58(10)	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power, as an employer, to apply to WorkCover for a waiver or reduction of an additional premium.	Section 64(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power, as a local government self-insurer, to cover councillors under the self-insurer's licence.	Section 68A(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	



Workers' Compensation and Rehabilitation Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power, as a self-insurer, to pay the annual levy to the Regulator.	Section 81	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
24.	Chief Executive Officer	Power, as a self-insurer, to respond to a written notice issued by the Regulator under this section.	Section 96	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power, as a self-insurer, to pay compensation for an injury sustained by a worker.	Section 109(1)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

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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
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
39.	Chief Executive Officer	Power, as an employer, to assist or provide an injured worker with rehabilitation.	Section 228(1) and 228(2)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	



Workers' Compensation and Rehabilitation Act 2003					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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)	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	

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)	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power, as an employer other than a self-insurer, to enter a payment plan with WorkCover.	Section 10(2)(d)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power, as a former employer, to give written notice to WorkCover.	Section 13(3)	27-Feb-2018 Item F1	



Workers' Compensation and Rehabilitation Regulation 2014					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
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	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power, as a self-insurer, to agree with the Regulator about the self-insurer's estimated claims liability.	Section 62	27-Feb-2018 Item F1	
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)	27-Feb-2018 Item F1	

LOCAL LAWS

Local Law No. 1 Administration					
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 form of an application	Section 8(1), LL1	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to request an applicant provide further reasonable information or clarification of information, documents or materials	Section 8(3), LL1	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to give the applicant written notice	Section 8(5), LL1	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to extend the period for the applicant to provide further information	Section 8(6), LL1	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to grant an approval for an applicant to undertake a prescribed activity after being satisfied that the requirements are met	Section 9(1), LL1	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to provide written notice to applicant about the approval	Section 9(2), LL1	27-Feb-2018 Item F1	

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<i>Local Law No. 1 Administration</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
7.	Chief Executive Officer	Power to give the applicant an information notice	Section 9(4), LL1	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to grant an approval on appropriate conditions	Section 10(1), LL1	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power to accept a certificate of a third party certifier as evidence about any application requirement	Section 12(1), LL1	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power to renew or extend the approval of an approval holder	Section 14(1), LL1	27-Feb-2018 Item F1	
11.	Chief Executive Officer	Power to request the applicant provide further reasonable information or clarification	Section 14(4), LL1	27-Feb-2018 Item F1	
12.	Chief Executive Officer	Power to provide written notice to the applicant about the application	Section 14(6), LL1	27-Feb-2018 Item F1	
13.	Chief Executive Officer	Power to give the applicant an information notice	Section 147(8), LL1	27-Feb-2018 Item F1	
14.	Chief Executive Officer	Power to amend the conditions of an approval given under subsection (6)(b)	Section 14(9), LL1	27-Feb-2018 Item F1	
15.	Chief Executive Officer	Power to request the applicant to provide further reasonable information or clarification	Section 15(4), LL1	27-Feb-2018 Item F1	
16.	Chief Executive Officer	Power to grant an application to transfer an approval if satisfied	Section 15(6), LL1	27-Feb-2018 Item F1	
17.	Chief Executive Officer	Power to provide a written notice to the approval holder and the proposed transferee	Section 15(7), LL1	27-Feb-2018 Item F1	
18.	Chief Executive Officer	Power to amend the existing conditions of an approval	Section 15(8), LL1	27-Feb-2018 Item F1	
19.	Chief Executive Officer	Power to give an information notice	Section 15(11), LL1	27-Feb-2018 Item F1	
20.	Chief Executive Officer	Power to consider and decide whether to grant or refuse the application	Section 16(3), LL1	27-Feb-2018 Item F1	
21.	Chief Executive Officer	Power to provide a written notice of the amended conditions	Section 16(4), LL1	27-Feb-2018 Item F1	
22.	Chief Executive Officer	Power to give the approval holder an information notice	Section 16(5), LL1	27-Feb-2018 Item F1	
23.	Chief Executive Officer	Power to give the approval holder a written notice (the show cause notice)	Section 18(2), LL1	27-Feb-2018 Item F1	
24.	Chief Executive Officer	Power to take the proposed action	Section 18(4), LL1	27-Feb-2018 Item F1	
25.	Chief Executive Officer	Power to give the approval holder an information notice	Section 18(5), LL1	27-Feb-2018 Item F1	

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<i>Local Law No. 1 Administration</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
26.	Chief Executive Officer	Power to immediately suspend an approval in certain circumstances	Section 19 (1), LL1	27-Feb-2018 Item F1	
27.	Chief Executive Officer	Power to extend the time for making a review application	Section 22(3), LL1	27-Feb-2018 Item F1	
28.	Chief Executive Officer	Power to review the original decision within 28 days after receiving a review application and make a decision	Section 23(1), LL1	27-Feb-2018 Item F1	
29.	Chief Executive Officer	Power to give the applicant notice of the decision (the review notice)	Section 23(3), LL1	27-Feb-2018 Item F1	
30.	Chief Executive Officer	Power to offer a reward for information leading to the conviction of a person	Section 33(1), LL1	27-Feb-2018 Item F1	
31.	Chief Executive Officer	Power to waive or partially remit a fee, unless contrary to a local law or resolution	Section 35(3), LL1	27-Feb-2018 Item F1	

<i>Local Law No. 2 Animal Management</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to not require an approval for keeping a restricted dog	Section 6(4), LL2		
2.	Chief Executive Officer	Power to take reasonable steps to provide notice to members of the public regarding animals that are prohibited in a particular public place.	Section 10(3), LL2	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to take reasonable steps to provide notice to members of the public regarding the designation of an area as a dog off-leash area	Section 11(2), LL2	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to give the responsible person for the animal an information notice about the declaration	Section 19(3), LL2	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to offer the animal for sale by public auction or by tender, to sell by private agreement; to dispose of, to destroy	Section 32(1), LL2	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to dispose of the animal as appropriate	Section 32(6), LL2	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to keep a proper record of impounded animals	Section 33(1) . LL2	27-Feb-2018 Item F1	

<i>Local Law No. 4 Local Government Controlled Areas and Facilities</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to take reasonable steps to provide notice to members of the public regarding restricted activities	Section 5(2), LL4	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to take reasonable steps to provide notice to members of the public regarding declarations	Section 6(6), LL4	27-Feb-2018 Item F1	


Local Law No. 4 Local Government Controlled Areas and Facilities

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
3.	Chief Executive Officer	Power to place at each public entrance to the area a notice of the closure, including a statement of the duration of the closure	Section 8(4), LL4	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to form an opinion that it is necessary for land adjoining a road to be fenced	Section 9(1), LL4	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to give a compliance notice to the owner	Section 9(1), LL4	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to give a compliance notice to a person who is the owner or occupier of land adjoining or adjacent to a road	Section 11(1), LL4	27-Feb-2018 Item F1	

Local Law No. 5 Parking

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to issue a parking permit	Section 7(1), LL4	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to issue a commercial vehicle identification label	Section 8(1), LL4	27-Feb-2018 Item F1	

Local Law No. 6 Bathing Reserve

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to erect and maintain signs (reserve signs) to indicate the existence of a bathing reserve	Section 5(1), LL6	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power, after consultation, to assign to a life-saving club the responsibility for patrolling a bathing reserve or a particular part of a bathing reserve	Section 19(1), LL6	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to assign conditions	Section 19(2), LL6	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to provide written approval to enclose a part of a bathing reserve	Section 20, LL6	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to appoint authorised persons as authorised persons for the local law	Section 26(2), LL6	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to approve training	Section 26(4)(b), LL6	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to issue an identity card	Section 29(1), LL6	27-Feb-2018 Item F1	



Local Law No. 7 Aerodromes					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to place signs, notices or markers on an aerodrome or part of an aerodrome to regulate use and operation	Section 5(1), LL7	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to place signs, notice of markers on an aerodrome to designate areas for parking aircraft	Section 6(1)	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to determine, include or notify by means of signs or notices area in which a person is not permitted to park or stand a vehicle	Section 7(1), LL7	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to declare a non-smoking part of an aerodrome	Section 11(4), LL7	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to do certain things on any special occasion, special event or other event of public interest at an aerodrome	Section 13, LL7	27-Feb-2018 Item F1	
6.	Chief Executive Officer	Power to impose fees and charges for each and every right of use of an aerodrome.	Section 14(1), LL7	27-Feb-2018 Item F1	
7.	Chief Executive Officer	Power to allow the owner of the aircraft to furnish to the local government on a monthly basis particulars of the number of passengers on each flight	Section 14(4), LL7	27-Feb-2018 Item F1	
8.	Chief Executive Officer	Power to, in an appropriate case, waive or partially remit a fee or charge	Section 14(7), LL7	27-Feb-2018 Item F1	
9.	Chief Executive Officer	Power to give a written notice (a compliance notice) to a person	Section 16(2), LL7	27-Feb-2018 Item F1	
10.	Chief Executive Officer	Power to approve a temporary structure of part of a vehicle to penetrate the OLS	Section 21(1), LL7	27-Feb-2018 Item F1	

SUBORDINATE LOCAL LAWS

Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Section 7 (1), SLL 1.1	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Section 8 (1), SLL 1.1	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to specify in a written notice, the term of the renewal or extension granted.	Section 8(2), SLL 1.1	27-Feb-2018 Item F1	



<i>Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Section 7(1), SLL 1.2,	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Section 8(1), SLL 1.2	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to specify in a written notice, the term of the renewal or extension granted.	Section 8(2), SLL 1.2,	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to refuse an application for an approval on grounds.	Schedule 1, Section 4(6), SLL 1.3	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to extend the term of an approval.	Schedule 1, Section 8(2), SLL 1.3	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1 Section 7(1), SLL 1.4,	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 11, Section 8(1), SLL 1.4,	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to specify in a written notice, the term of the renewal or extension granted.	Schedule 2, Section 8(2), SLL 1.4,	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.5 (Keeping of Animals) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.5,	27-Feb-2018 Item F1	



<i>Subordinate Local Law No. 1.5 (Keeping of Animals) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
2.	Chief Executive Officer	Power to specify in a written notice, the term of the renewal or extension granted.	Schedule 1, Section 8(2), SLL 1.5,	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to limit the number of persons who may occupy a camp site.	Schedule 1, Section 5(1), SLL 1.6,	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to prescribe rules which govern the use of the camping ground and require the approval holder to ensure compliance with the rules by each user of the camping ground.	Schedule 1, Section 6(27), SLL 1.6	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7 (1), SLL 1.6,	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.6	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to specify in a written notice, the term of the renewal or extension granted.	Schedule 1, Section 8(1), SLL 1.6	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.7,	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 7(1), SLL 1.7	27-Feb-2018 Item F1	



<i>Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to prescribe rules which govern the use of the camping ground and require the approval holder to ensure compliance with the rules by each user of the camping ground.	Schedule 1, Section 6(24), SLL 1.8	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to specify conditions applying to the operation of the caravan park.	Schedule 1, Section 6(29), SLL 1.8	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.8	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8 (1), SLL 1.8	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.9 (Operation of Cemeteries)</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to regulate prescribed activities relating to grave sites.	Schedule 1, Section 6(3), SLL 1.9	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.9	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.9	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to specify in a written notice, the term of the renewal or extension granted.	Schedule 1, Section 8(3), SLL 1.9	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events)</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.12	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.12	27-Feb-2018 Item F1	



<i>Subordinate Local Law No. 1.13 (Undertaking Regulated Activities Regarding Human Remains)</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.13	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.13	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads)</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.14	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.14	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.15	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.15	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.16 (Gates and Grids) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.16	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.16	27-Feb-2018 Item F1	



<i>Subordinate Local Law No. 1.17 (Parking Contrary to an Indication on and Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to fix some other term for an approval if it is desirable to do so.	Schedule 1, Section 7(2), SLL 1.17	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to fix some other term for the extension or renewal of an approval if it is desirable to do so	Schedule 1, Section 8(3), SLL 1.17	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.18 (Parking in a Loading Zone by Displaying a Commercial Vehicle Identification Label) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant	Schedule 1, Section 7(1), SLL 1.18	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to fix some other term for an approval if it is desirable to do so.	Schedule 1, Section 7(3), SLL 1.18	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.18	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power to fix some other term for the extension or renewal of an approval if it is desirable to do so	Schedule 1, Section 8(3), SLL 1.18	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 1.19 (Reservation of Bathing Reserve for Training, Competition etc) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.19	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.19	27-Feb-2018 Item F1	



<i>Subordinate Local Law No. 1.20 (Use of a Vehicle on an Airside Area) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 1.20	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to fix some other term for an approval if it is desirable to do so.	Schedule 1, Section 7(2), SLL 1.20	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to determine the term for which an approval may be renewed or extended having regard to the information submitted by the approval holder.	Schedule 1, Section 8(1), SLL 1.20	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to approve a fire, fireplace or incinerator	Schedule 2, Item 5(a)(i), SLL4	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to approve a fire, fireplace or incinerator	Schedule 1, Item 8(a)(i), SLL 4	27-Feb-2018 Item F1	

<i>Subordinate Local Law No. 5 (Parking) 2011</i>					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to determine the term of an approval having regard to the information submitted by the applicant.	Schedule 1, Section 7(1), SLL 5	27-Feb-2018 Item F1	
2.	Chief Executive Officer	Power to fix some other term for an approval if it is desirable to do so.	Schedule 1, Section 7(2), SLL 5	27-Feb-2018 Item F1	
3.	Chief Executive Officer	Power to issue a temporary parking permit	Section 7(5), SLL 5	27-Feb-2018 Item F1	
4.	Chief Executive Officer	Power issue a parking permit (a works zone parking permit)	Section 7(6), SLL 5	27-Feb-2018 Item F1	
5.	Chief Executive Officer	Power to issue a parking permit (a local government works parking permit)	Section 7(7), SLL 5	27-Feb-2018 Item F1	



Organisational Services
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Subordinate Local Law No. 6 (Bathing Reserves) 2011					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to approve prohibited equipment during a competition or event	Section 7(a), SLL 6	27-Feb-2018 Item F1	

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**Item****27 February 2018**

Item Number:	File Number:	Part:
H1	.	ROADS & DRAINAGE

Portfolio:

Infrastructure Services

Subject:

Arrangement for the Supply of Flood Gates

Report Author:

Peter Jensen, Group Manager Roads & Drainage

Authorised by:

Stuart Randle, General Manager Infrastructure Services

Link to Corporate Plan:

Our Environment - 2.3 Connected, accessible and reliable roads and drainage, water and wastewater, and waste infrastructure and networks.

Background:

Bundaberg Regional Council has an existing floodgate network consisting of 18 gates that require maintaining. Although this floodgate network is inspected regularly by Council, it is volatile to extreme weather events and as such may need repair or replacement with little or no notice.

The construction of the gates themselves is specialised in nature, materials used and the design itself must be suitable to withstand the marine environment.

McDougall M K & J H is the only supplier available to Council that has experience in the construction and maintenance of Bundaberg Regional Council's floodgate network. This supplier is also utilised by Bundaberg Sugar as a preferred supplier to maintain their network. Their experience, expertise and the low risk nature of the work makes this business the preferred supplier to enter into an arrangement with.

McDougall M K & J H is a locally based business that has been servicing the Bundaberg region since May 2000 and has held a QBCC licence in the class of "Builder – Open" since August 2003

Associated Person/Organization:

Nil

Consultation:

Bundaberg Sugar was consulted as a stakeholder

Legal Implications:

Local Government Regulation 2012, Section 235(b) of the Local Government Regulation 2012.

Policy Implications:

Council policy allows exemptions under Section 235(b) of the Local Government Regulation 2012.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appear to be no risk management implications.

Communications Strategy:

Communications Team consulted. A Communication Strategy is:

- Not required
- Required

Attachments:

Nil

Recommendation:

That Bundaberg Regional Council enter into an arrangement with McDougall M K & J H (ABN 61 794 192 442) owing to the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the Local Government to invite quotes or tenders as per *Section 235(b) of the Local Government Regulation 2012* and that this arrangement remain in place until such time as a viable alternative supplier becomes available.

**Item****27 February 2018**

Item Number:	File Number:	Part:
J1	339.2017.18.1	PLANNING

Portfolio:

Planning & Development Services

Subject:

33 Gooburrum Road, Gooburrum - Request for Street Name

Report Author:

Dean Catorall, Para Planner

Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Governance - 4.4.6 A commonsense approach to planning, coordination and consultation

Background:

APPLICATION NO.	339.2017.18.1
PROPOSAL	Request for Street Name
APPLICANT	Trinnicat Pty Ltd
LOCATION	33 Gooburrum Road
ESTATE NAME	N / A
RELATED APPROVAL	321.2017.48117.1
DATE OF REQUEST	25/09/2017
EXISTING NAME	N / A
NO. OF SUBMITTERS	N / A

1. BACKGROUND

This is a request by the Applicant to name a new street being created as part of a development application for reconfiguration of a lot and as required by conditions of approval. The application was approved to create five new lots (Council Reference: 321.2017.48117.1) which will gain access from a new road off Gooburrum Road. The Applicant, Trinnicat Pty Ltd, is seeking to name new Road 1 and has provided three preferences for the new road.

The proposed road will service five new lots as a part of the development. The Applicant has chosen two names that reflect the history of the Developer. A third name of Indigenous meaning - has been chosen and reflects the location of the development within the Gooburrum locality which are considered unique to the area.

Table 1 provides a summary of the street names, proposed by the Applicant, for consideration.

Table 1 - Suggested Street Name/s

Road	Street Names Register – suggested by Developer	Alternative Names – suggested by Developer
	Name	Name
Road 1		1.Leacy Place
		2.Kadu Place
		3.Kalinda Place

Leacy is the surname of the developer of the property who has been a long-time resident in the Bundaberg Region.

Kadu is the name of the trust that is undertaking the development and is the name of the people that inhabit upper east Burma.

Kalinda is an aboriginal word meaning “Place of view”, “view place” or “see”. The Gooburrum locality is well known for its rural/agricultural characteristics and views. The Gooburrum locality also has historic ties to the indigenous community.

2. ASSESSMENT

2.1 Street Names

	Yes	No	N/A
Does the proposal reflect aspects of the area in which it is located, including historical names?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the proposal part of a theme for a development?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the name a noun and generally contain one (1) word? If a composite word, does the word supplement the primary name?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Where in an urban locality, are the proposed names unique to that locality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Where in a rural area, is the proposed name unique to the Bundaberg region?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For extensions to existing streets, does the extension retain the name of the street extended?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

It is considered that the request does comply with the requirements of the Street and Park Naming Governance Policy.

Associated Person/Organization:

Not applicable

Consultation:

Not applicable

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.

- Not required
 Required

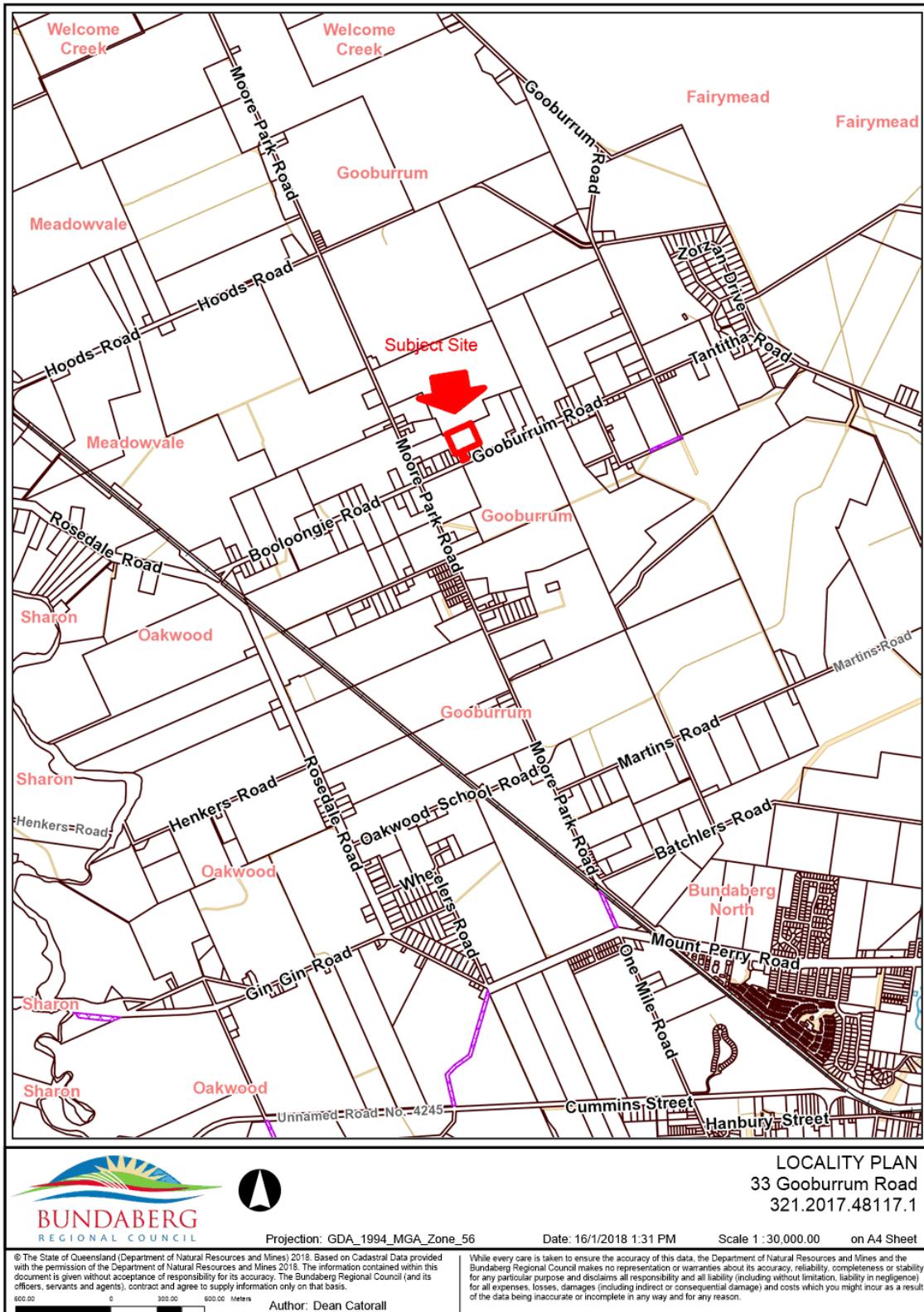
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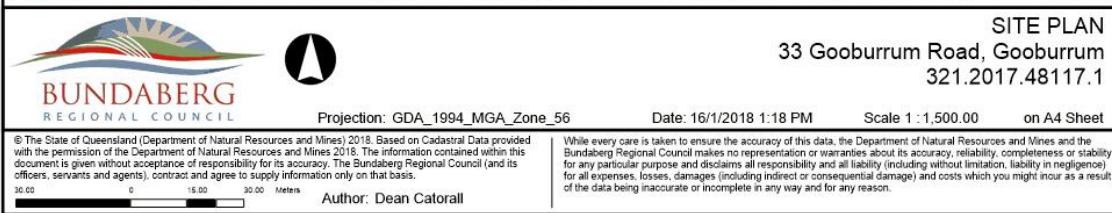
- [↓1](#) Locality Plan
[↓2](#) Site Plan
[↓3](#) Road Layout Plan

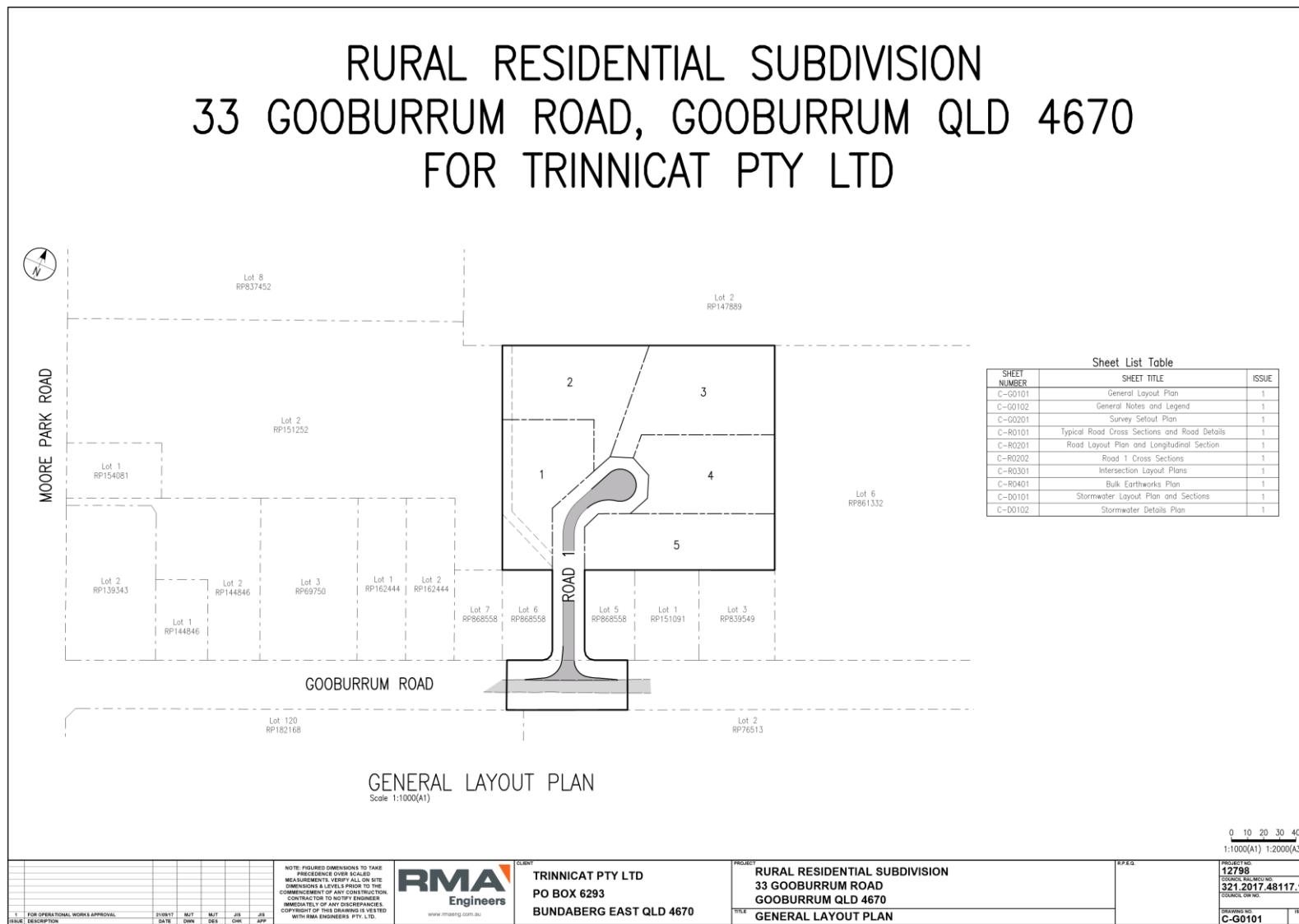
Recommendation:

That Road 1 in the development located at 33 Gooburrum Road and approved under development approval 321.2017.48117.1, be named as follows:

- **Road 1 – Leacy Place;**







**Item****27 February 2018**

Item Number:	File Number:	Part:
J2	339.2018.21.1	PLANNING

Portfolio:

Planning & Development Services

Subject:

1483 Gin Gin Road, Sharon - Request for Street Name

Report Author:

Renee Dewhurst, Admin Officer

Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Governance - 4.4.6 A commonsense approach to planning, coordination and consultation

Background:

APPLICATION NO.	339.2018.21.1
PROPOSAL	Request for Street Name - Reconfiguring of a Lot - One Lot into 45 Lots in 6 Stages
APPLICANT	FJV Investments
LOCATION	1483 Gin Gin Road, Sharon
ESTATE NAME	Pindari Park
RELATED APPROVAL	321.2016.47064.1
DATE OF REQUEST	31 January 2018
EXISTING NAME	N/A
NO. OF SUBMITTERS	N/A

1. BACKGROUND

This is a request by the Applicant to name new streets being created as part of a reconfiguration of a lot and as required by conditions of approval. The Applicant, FJV Investments, is seeking to name new Roads A, B and C, being the 45 Lot Subdivision. The developer has provided three preferences for each road.

Roads A, B and C will service the entire subdivision development consisting of 45 lots over six stages. The Applicant has chosen road names to reflect the estate name in addition to local Flora/Fauna as a theme for the development which are unique to the Sharon locality.

Table 1 provides a summary of the street names, proposed by the Applicant, for consideration.

Table 1 - Suggested Street Name/s

Road	Street Names Register – suggested by Developer	Alternative Names – suggested by Developer
	Name	Name
Road A	1.	1. Pindari Drive
	2.	2. Pindari Park Drive
	3.	3. Goolyair Drive
Road B	1.	1. Whipbird Place
	2.	2. Fantail Place
	3.	3. Orchid Place
Road C	1.	1. Songbird Place
	2.	2. Conifer Place
	3.	3. Honeyeater Place

The subdivision is called “Pindari Park”. Pindari is an aboriginal name for high ground/rock which reflects the natural elevation of the development land. This name has been chosen to allow the estate to be easily identified and to highlight the locality’s indigenous heritage. Pindari is unique to Bundaberg Region and although Pindari Park was the initial preference for road name A, to pay homage to the estates name in its entirety, the single word of Pindari allows Compliance with Council’s Policy.

The proposed street names for road names B and C within this development are intended to reflect the native flora and fauna specific to the locality of Gin Gin. Although the Applicant’s first preferences were Whipbird and Songbird, it was determined that they are not unique to the Bundaberg region. Therefore after further suggestion from the applicant, the second preference for both roads B & C have been established as the more suitable option as Fantail and Conifer.

2. ASSESSMENT

2.1 Street Names

	Yes	No	N/A
Does the proposal reflect aspects of the area in which it is located, including historical names?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the proposal part of a theme for a development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the name a noun and generally contain one (1) word? If a composite word, does the word supplement the primary name?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Where in an urban locality, are the proposed names unique to that locality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Where in a rural area, is the proposed name unique to the Bundaberg region?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For extensions to existing streets, does the extension retain the name of the street extended?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

It is considered that the request does comply with the requirements of the Street and Park Naming Governance Policy.

Associated Person/Organization:

Not applicable

Consultation:

Not applicable

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.

Not required

Required

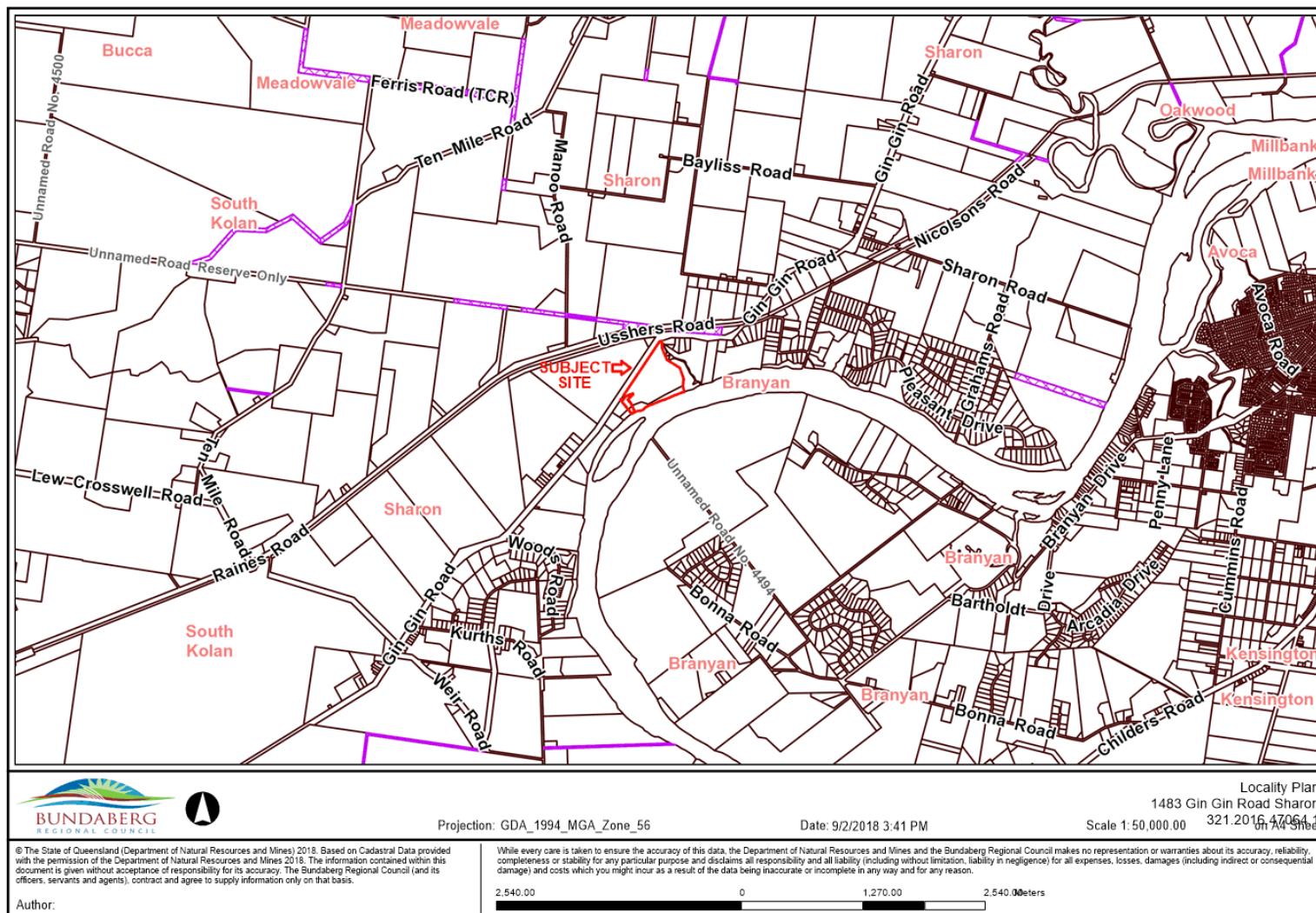
Attachments:

- [↓1](#) Locality Plan
- [↓2](#) Site Plan
- [↓3](#) Road Layout Plan

Recommendation:

That roads A, B and C in the development identified as Pindari Park, located at 1483 Gin Gin Road, Sharon and approved under development approval 321.2018.21.1, be named as follows:

- **Road A – Pindari Drive; and**
- **Road B and C – Conifer Place.**





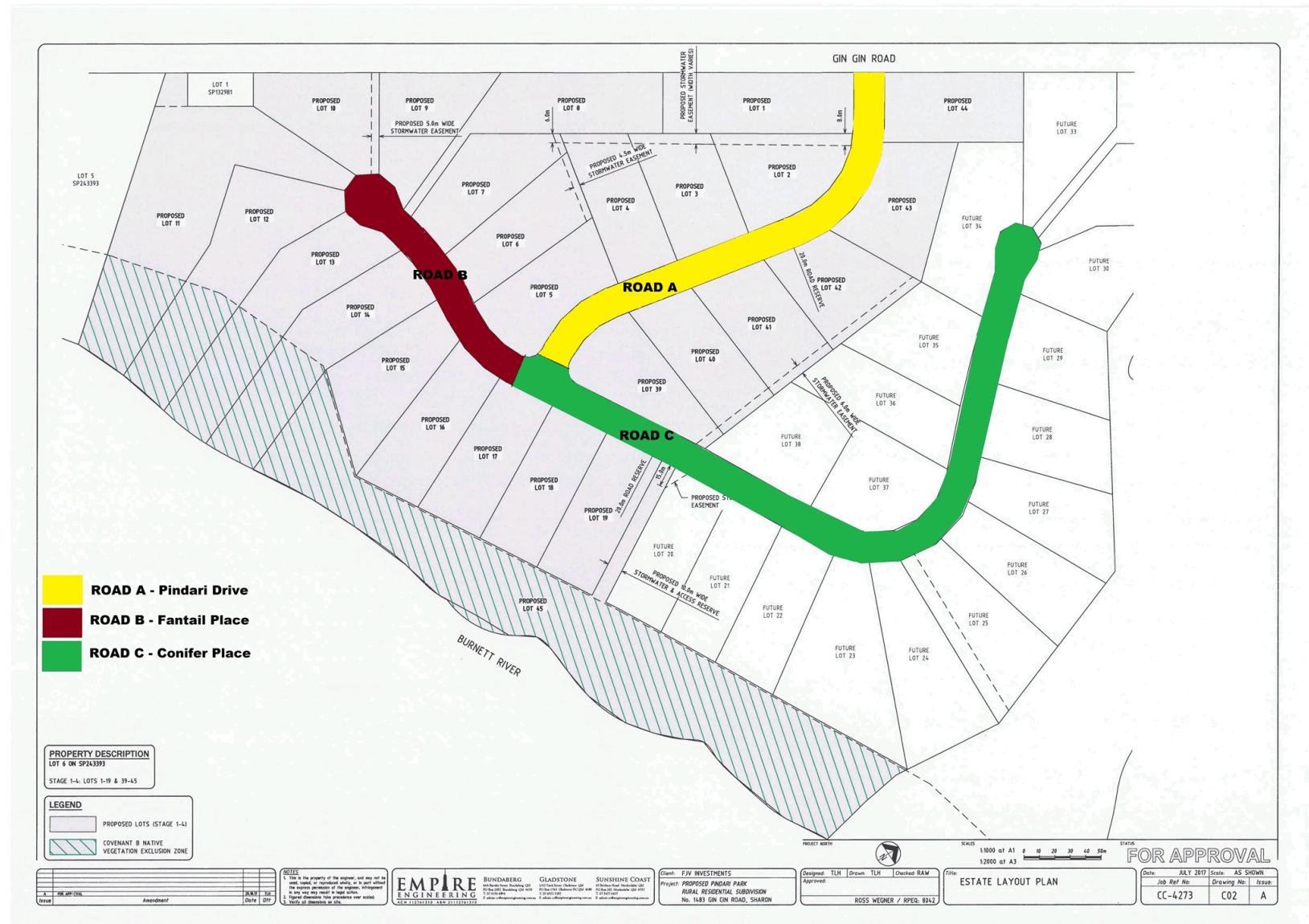
Site Plan
1483 Gin Gin Road, Sharon
321.2016.47064.1

Projection: GDA_1994_MGA_Zone_56 Date: 9/2/2018 8:09 AM Scale 1:3,750.00 on A4 Sheet

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76.00 0 75.00 Meters Author: Renee Dewhurst

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**Item****27 February 2018**

Item Number:	File Number:	Part:
J3	TLPI 1/2018	PLANNING

Portfolio:

Planning & Development Services

Subject:

TLPI 1/2018 – Protection of the Mon Repos Turtle Conservation Area

Report Author:

Evan Fritz, Manager Strategic Planning

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our Environment - 2.2 Sustainable built environments and local projects that support our growing population and promote economic investment and development.

Background:

Council at its meeting held 30 January 2018 (Item J1) resolved to prepare a Temporary Local Planning Instrument (TLPI) to address concerns raised by the State Government in relation to the potential impacts of development of land at Shelley Street, Burnett Heads on the Mon Repos turtle rookery.

The proposed TLPI was forwarded to the Planning Minister on 30 January 2018 for the Minister's consideration. Subject to approval from the Minister, it is necessary for Council to formally resolve to adopt the TLPI.

The current TLPI 1/2017 will cease to have effect on 16 March 2018. Advice from the Minister had not been received at the time of preparing this report. If approval is received before the Council meeting of 27 February, it is recommended that Council adopt the TLPI and that the TLPI take effect on 16 March 2016.

If approval is not received before the Council meeting, given the next Council meeting is not scheduled until after 16 March 2016, it is proposed that Council resolve, subject to receipt of approval from the Planning Minister with no conditions, to adopt the TLPI and that the TLPI take effect as follows –

- (a) if approval is received prior to 14 March 2018, the TLPI take effect on 16 March 2018.
- (b) if approval is received after 14 March 2018, the TLPI take effect on the date that the public notice of adoption of the TLPI is published in the gazette.

The proposed TLPI attached to this report is consistent with the version sent to the Planning Minister.

Following adoption of the TLPI it will be necessary for Council to:-

- (i) place a notice in the gazette, a newspaper circulating generally in the Bundaberg Region (i.e. the Bundaberg News-Mail) and on Council's website providing details of Council's decision and the TLPI;
- (ii) give the chief executive within 10 days of adopting the TLPI, a copy of the notice and one electronic copy of the TLPI, including associated mapping.

Associated Person/Organization:

Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) and the Minister for State Development, Manufacturing, Infrastructure and Planning (Cameron Dick MP)

Consultation:

Council is required to provide public notice of any decision to adopt a TLPI (including a public notice in the local newspaper), there is no statutory requirement for public consultation for a TLPI.

Letters have been sent to the owners of the 12 properties directly affected by the proposed TLPI providing an update on the status of amendments to Council's Planning Scheme and advising of Council's decision to make a new TLPI (to extend the effect of the current TLPI). A further letter will be sent to these landowners following adoption of the TLPI.

Consultation will need to be undertaken as part of any future amendment to the planning scheme in accordance with the requirements of the Planning Act.

Legal Implications:

There appear to be no legal implications arising from adoption of the proposed TLPI. In particular, it is understood that Council is not exposed to claims for compensation in respect of rights affected by a TLPI.

Policy Implications:

The TLPI is an interim/short-term policy response to concerns raised by the Planning Minister. The *Planning Act 2016* allows for a TLPI to suspend or otherwise affect the operation of the Planning Scheme for up to 2 years. Any future amendment to Council's Planning Scheme will consider a longer-term policy response to issues raised in the Minister's direction notice.

Financial and Resource Implications:

Given the limited area and number of lots affected, the TLPI is not expected to have any significant financial or resource implications for Council. Council's Development Group will administer the TLPI. For land affected by the TLPI, a material change of use for a Dwelling house will trigger a code assessable application at a fee of \$1250. Building work for a Dwelling house (where not associated with a material change of use) will trigger a code assessable building work application, which currently has a fee of \$490.

Risk Management Implications:

Affected landowners may have concerns over the planning and development controls that will be put in place under the proposed TLPI. It is proposed to mitigate this risk by writing to the affected landowners informing them about the effect and need for the TLPI. No other risks have been identified.

Communications Strategy:

Communications Team consulted.

- Yes
 No

Attachments:

[↓ 1 Proposed Temporary Local Planning Instrument 1/2018](#)

Recommendation:

That pursuant to section 23 of the *Planning Act 2016* and the Minister's Guidelines and Rules, and subject to and on receipt of approval from the Planning Minister to the making of the TLPI with no conditions:-

- (a) Council adopt Temporary Local Planning Instrument (TLPI) 1/2018 – Protection of the Mon Repos Turtle Conservation Area; and
- (b) the TLPI take effect on 16 March 2018, or if approval is not received before 14 March 2018, the day the notice of adoption of the TLPI is published in the gazette.



Bundaberg Regional Council

Temporary Local Planning Instrument 1/2018 Protection of the Mon Repos Turtle Conservation Area

1. Short title

This Temporary Local Planning Instrument (TLPI) may be cited as Temporary Local Planning Instrument 1/2018 – Protection of the Mon Repos Turtle Conservation Area.

2. Overview

This TLPI is an interim policy response put in place by the Bundaberg Regional Council (Council) to address concerns raised by the Planning Minister that insufficient provisions exist within the Council's Planning Scheme to protect the Mon Repos Turtle Rookery from the negative impacts of development.

3. Purpose

The purpose of this TLPI, made under section 23 of the *Planning Act 2016* and the Minister's Guidelines and Rules, is to provide an interim policy response to concerns the planning scheme does not appropriately reflect a State interest, particularly:-

- Biodiversity – matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological integrity;
- Coastal Environment – the coastal environment is protected and enhanced, while supporting opportunities for coastal-dependent development, compatible urban form, and safe public access along the coast;
- Tourism – facilitating and streamlining the delivery of sustainable tourism development that promotes the protection or enhancement of the character, landscape and visual amenity, and the economic, social, cultural and environmental values of the natural and built assets associated with the tourism development.

To achieve this purpose, for the land identified within Schedule 3 – Mapping, the TLPI:-

- (i) Suspends:-
 - a. assessment tables 5.5.15, 5.6.1, 5.7.1, and 5.8.1
 - b. Central Coastal Urban Growth Area Local Plan Code;
 - c. Figure 7.2.1 – Central coastal urban growth area structure plan concept;
 - d. the 'Urban area' designation within Strategic framework maps SFM-001, SFM-002, and SFM-003;
- (ii) Includes it in the Limited development (constrained land) zone and introduces the LDZ2 precinct – Mon Repos turtle conservation;
- (iii) Sets levels of assessment for particular types of development; and
- (iv) Provides assessment criteria.

4. Application

This TLPI applies to land identified within Schedule 3 – Mapping.

5. Relationship with planning scheme

To the extent of any inconsistency between Council's current planning scheme and the TLPI, the TLPI prevails.

This TLPI suspends the provisions in the Bundaberg Regional Council Planning Scheme to the extent of matters that this instrument relates to as outlined in section 8.



6. Duration

This TLPI has effect for a period of 2 years from the date of commencement, unless repealed by Council resolution in accordance with s 23 of the *Planning Act 2016*.

7. Definitions

The terms used in this TLPI have the same meaning as defined in the Bundaberg Regional Council Planning Scheme and *Planning Act 2016*.

8. Effect of this Temporary Local Planning Instrument

8.1 For development within the area as defined within Schedule 3 – Mapping this TLPI suspends the operation of the following sections of the Bundaberg Regional Council Planning Scheme:

(a) Assessment Tables:-

- (i) 5.5.15 Emerging Community Zone;
- (ii) 5.6.1 Reconfiguring a Lot;
- (iii) 5.7.1 Building Work;
- (iv) 5.8.1 Operational Work;

(b) The Central Coastal Urban Growth Area Local Plan Code;

(c) Figure 7.2.1 – Central Coastal Urban Growth Area Structure Plan Concept;

(d) The ‘Urban area’ designation contained within the Strategic Framework Maps:-

- (i) SFM-001 (Settlement Pattern Elements);
- (ii) SFM-002 (Economic Development Elements);
- (iii) SFM-003 (Transport and Infrastructure Elements).

8.2 Includes the area subject to the TLPI in the Limited development (constrained land) zone and introduces the LDZ2 precinct – Mon Repos turtle conservation.

8.3 Development specified in the ‘Development’ column of the Table of Assessment at Schedule 1 of this TLPI, has the level of assessment varied as specified in the ‘Level of assessment’ column and must comply with, –

- (a) for code assessment, the assessment criteria specified in ‘Assessment criteria’ column;
- (b) for impact assessment, the relevant provisions nominated within s 45 of the *Planning Act 2016*.

8.4 The Mon Repos turtle conservation precinct code (Schedule 2) provides an additional set of provisions to be considered by an assessment manager when assessing development specified in Column 1 of the Table of Assessment at Schedule 1.

This is to certify that this is a true and correct copy of Temporary Local Planning Instrument (TLPI) 1/2018 adopted on <insert date> and commenced on <insert date>. The TLPI will cease to have effect on <insert date> or when it is repealed in accordance with the provisions of the *Planning Act 2016*.

Stephen Johnston
Chief Executive Officer



Schedule 1 – Limited development (constrained land) zone – LD22 (Mon Repos turtle conservation) precinct table of assessment

1.1 Application

The tables in this part identify the level of assessment and assessment criteria for development subject to the area mapped within Schedule 3 – Mapping.

1.2 Levels of assessment

The following table identifies where the TLPI changes the level of assessment from that stated within the Emerging communities zone and the relevant assessment criteria.

Table 1.2.1 Table of assessment

Development ¹	Level of assessment	Assessment criteria ²
<i>Development within the Limited development (constrained land) zone – Precinct LD22 (Mon Repos turtle conservation)</i>		
Material change of use	Code assessment if for a dwelling house	<ul style="list-style-type: none"> • Mon Repos turtle conservation precinct code • Dwelling house code
	Impact assessment If not otherwise specified	
Reconfiguring a lot	Code assessment if for:- (a) a boundary realignment; or (b) an access easement.	<ul style="list-style-type: none"> • Mon Repos turtle conservation precinct code • Reconfiguring a lot code
	Impact assessment If not otherwise specified	
Building work	Code assessment if for a dwelling house and not a Material change of use	<ul style="list-style-type: none"> • Mon Repos turtle conservation precinct code • Dwelling house code
	Code assessment if not otherwise specified	<ul style="list-style-type: none"> • Mon Repos turtle conservation precinct code • The use code applicable to the use for which the building work is to be undertaken
Operational work	Code assessment if placing an advertising device on premises	<ul style="list-style-type: none"> • Mon Repos turtle conservation precinct code • Advertising devices code
	Code assessment If not otherwise specified	<ul style="list-style-type: none"> • Mon Repos turtle conservation precinct code • Landscaping code • Nuisance code • Transport and parking code • Works, services and infrastructure code

¹ Note—where development is not identified in this column of the table as being subject to the TLPI, then the TLPI is not applicable to the development.

² Editor's note—this TLPI does not suspend the overlay assessment tables. Applicants need to check Table 5.10.1 of the planning scheme for additional assessment criteria.



Schedule 2 – Mon Repos turtle conservation precinct code

2.1 Application

This code applies to assessable development:-

- (a) occurring within the LDZ2 (Mon Repos turtle conservation) precinct within the Limited development (constrained land) zone identified on the map in Schedule 3;
- (b) identified as requiring assessment against the Mon Repos turtle conservation precinct code by the Table of assessment in Schedule 1.

2.2 Purpose and overall outcomes

- (1) The purpose of the code is to:

- (a) limit future development of land within the Mon Repos turtle conservation precinct until it can be demonstrated that development of the area does not negatively impact on the nesting of turtles at the Mon Repos conservation area and other nesting beaches;
- (b) ensure that future development is limited to a Dwelling house on each lot;
- (c) ensure no further lots are created;
- (d) ensure external lighting associated with a Dwelling house, including any ancillary domestic outbuildings and other works associated with a dwelling, are controlled to ensure development within the area limits both direct lighting and its contribution to the overall light spillage produced by urban areas.

- (2) The purpose of the code will be achieved through the following overall outcome/s:

- (a) Development ensures land use, design and built form address the potential negative impacts of urban development to the nearby Mon Repos Turtle Rookery;
- (b) The adverse impacts of lighting associated with urban development are not increased within or external to the development site.

2.3 Assessment criteria

Table 2.3.1 Criteria for assessable development

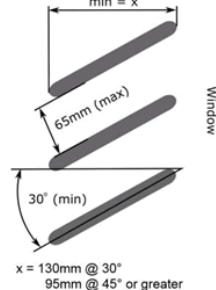
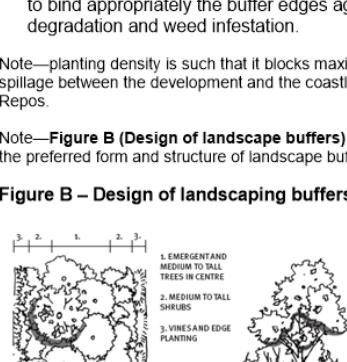
Performance outcomes	Acceptable outcomes
<i>Land use composition</i>	
PO1 Development on the land is limited to pre-existing uses and a dwelling house on each lot.	AO1 No acceptable outcome provided.
PO2 Development does not create additional lots.	AO2 No acceptable outcome provided.
<i>Additional criteria for development other than a Dwelling house (Where a performance assessment against PO 1, PO 2 and the Purpose and overall outcomes has determined development other than a Dwelling house is appropriate)</i>	
PO3 Development ensures that lighting and glare does not have any significant adverse amenity impacts or create nuisance to nearby environmental areas.	AO3.1 Lighting devices are located, designed and installed to:- <ul style="list-style-type: none"> (a) minimise light spillage on surrounding premises; (b) preserve an acceptable degree of lighting amenity at surrounding premises; (c) provide covers or shading around lights; (d) direct light downwards; (e) position lights away from possibly affected areas; and (f) enable brightness of lights to be adjusted to low levels.



Performance outcomes	Acceptable outcomes
	<p>AO3.2 Streets, driveways and servicing areas are located and designed to minimise vehicle headlight impacts on the coastline and Mon Repos.</p> <p>AO3.3 Reflective glare that contributes to the sky glow is avoided or minimised through the use of:- (a) external building materials and finishes low reflectivity; or (b) building design/architectural elements or landscaping treatments to block or reduce excessive reflective glare.</p>
<p>PO4 Effective measures are implemented during the construction and operation of development to:- (a) protect fauna that is sensitive to disturbance from noise, vibration, odour, light, dust and particulates; and (b) limit impacts from artificial lighting on sea turtle nesting areas.</p>	<p>PO4.1 Any lighting used during the construction of development is managed to ensure it does not have an adverse impact on fauna within the nearby Mon Repos.</p> <p>PO4.2 All exterior lighting provided as part of development within the area, reduces light pollution and sky glow by:- (a) minimises the use and intensity of external lighting to that required to achieve the light's purpose and to avoid reflection from the ground, buildings or other surfaces; (b) using lighting that is fully shielded, directed and mounted as low as possible so as to cast little or no upward light (above the horizontal) or light spill towards the coastline and Mon Repos; (c) using lighting of a wavelength less likely to cause nuisance to sea turtles or other fauna (e.g. amber lighting); and (d) fitting lights with motion detection sensors and/or timers to ensure lighting is turned off when not used.</p> <p>AO4.3 All windows and glass doors are tinted with non-reflective tinting film that blocks a minimum of 75% light to reduce light spill from indoor lighting.</p> <p>AO4.4 All windows are shielded with external fixed louvres. Louvres are to be:- (a) solid (i.e. no holes); (b) directed downward from the window at a minimum angle of 30°; (c) in accordance with the dimensions identified within Figure A (Fixed louvres detail).</p>



BUNDABERG REGIONAL COUNCIL
TEMPORARY LOCAL PLANNING INSTRUMENT 1/2018

Performance outcomes	Acceptable outcomes
	<p>Figure A – Fixed louvres detail</p>  <p>$x = 130\text{mm} @ 30^\circ$ $95\text{mm} @ 45^\circ \text{ or greater}$</p>
PO5 Development provides for landscape buffers that: <ul style="list-style-type: none"> (a) effectively protect the edges of existing native vegetation or another area of environmental significance; (b) achieve visual screening of acoustic attenuation devices; and (c) provide separation between incompatible land uses or between major infrastructure elements (such as State-controlled roads) and land uses. 	<p>AO5</p> <p>Where a landscape buffer is required, it is designed, constructed and maintained in accordance with the following:-</p> <ul style="list-style-type: none"> (a) selected plant species are appropriate to the location, drainage and soil type, meet the buffer's functional requirements and require minimal ongoing maintenance; (b) plant selection includes a range of species to provide variation in form, colour and texture to contribute to the natural appearance of the buffer; (c) planting density results in the creation of upper, mid and understorey strata with: <ul style="list-style-type: none"> (i) large trees planted at 6m centres; (ii) small trees planted at 2m centres; (iii) shrubs planted at 1m centres; and (d) tufting plants, vines and groundcovers are planted at 0.5m to 1m centres; and (e) where adjoining the edge of native vegetation or watercourse understorey, shrubs and vines are used to bind appropriately the buffer edges against degradation and weed infestation. <p>Note—planting density is such that it blocks maximum light spillage between the development and the coastline and Mon Repos.</p> <p>Note—Figure B (Design of landscape buffers) demonstrates the preferred form and structure of landscape buffers.</p> <p>Figure B – Design of landscaping buffers</p> 

EFFECTIVE <INSERT DATE>

SCHEDULE 2 – MON REPOS TURTLE CONSERVATION CODE



Performance outcomes	Acceptable outcomes
<i>Additional criteria for dwelling houses</i>	
PO6 Dwelling houses (including any associated domestic outbuildings) are sited and designed to avoid the use of outdoor and other external lighting and mitigates the spillage of internal lighting on the external environment.	AO6.1 The Dwelling house (including any associated domestic outbuildings) has no outdoor or external lights. AO6.2 All windows and glass doors are tinted with non-reflective tinting film that blocks a minimum of 75% light. AO6.3 All windows are shielded with external fixed louvres. Louvres are to be:- (d) solid (i.e. no holes), (e) directed downward from the window at a minimum angle of 30°, (f) in accordance with the dimensions identified within Figure C (Fixed louvres detail) .
Figure C – Fixed louvres detail	
 $x = 130\text{mm } @ 30^\circ$ $95\text{mm } @ 45^\circ \text{ or greater}$	
<i>Additional criteria for building and operational work</i>	
PO7 Night works and security lighting is avoided during construction.	AO7 No acceptable outcome provided.
<i>Additional criteria for operational work involving placing an advertising device on premises</i>	
PO8 Advertising devices are limited to signage associated with 'Home based business' located on the land and are not illuminated or have moving parts.	AO8 Not more than one advertising device is erected on the premises and the sign:- (a) includes only the occupier and/or the business conducted on the premises; (b) has a maximum sign face of 0.5m ² ; (c) is attached to a fence or wall; and (d) is not illuminated or in motion.

BUNDABERG REGIONAL COUNCIL
TEMPORARY LOCAL PLANNING INSTRUMENT 1/2018



Schedule 3 – Mapping

EFFECTIVE <INSERT DATE>

SCHEDULE 3 – MAPPING



**Item****27 February 2018**

Item Number:	File Number:	Part:
K1	322.2014.41207.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

1 Von Deest Street, Branyan - Material Change of Use for Special Use (Cemetery)

Report Author:

Erin Clark, Senior Planning Officer - Major Projects

Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Our Environment - 2.2 Sustainable built environments and local projects that support our growing population and promote economic investment and development.

Summary:

APPLICATION NO.	322.2014.41207.1
PROPOSAL	Material Change of Use for Special Use (Cemetery)
APPLICANT	FC Brown & Co
OWNER	Flexible Funeral Benefits Pty Ltd
PROPERTY DESCRIPTION	Lot 1 RP134181
ADDRESS	1 Von Deest Street, Branyan
PLANNING SCHEME	Planning Scheme for Bundaberg City
ZONING	Non Urban Precinct 1f (Local Area 1- Western Bundaberg)
OVERLAYS	Bundaberg Airport (0-3km)
LEVEL OF ASSESSMENT	Impact
SITE AREA	2.024ha
CURRENT USE	Crematorium and Residence
PROPERLY MADE DATE	4 August 2014
STATUS	The 20 business day decision period ended on 6 November 2014
REFERRAL AGENCIES	Nil
NO. OF SUBMITTERS	Three (3)
PREVIOUS APPROVALS	Application for Residential Dwelling and Special Use- Cavity Brick Crematorium, Chapel and Associated Buildings at Cummins and Von Deest Roads Kensington Estate (refer Council minutes 8 and 21 April 1975)

SITE INSPECTION CONDUCTED	15 October 2014, 14 December 2015 and 29 September 2016
LEVEL OF DELEGATION	Level 3

1. INTRODUCTION

1.1 *Proposal*

The application seeks development approval to establish a cemetery in the northern portion of a parcel of land located at 1 Von Deest Street, Branyan, a site that currently accommodates a residence and crematorium. The development is proposed to include 1539 burial plots divided into seven sections, separated from each other by memorial rock gardens and offering conventional lawn burials, standard headstones (0.45 x 0.45m) and free form headstones (1m maximum height). These plots, which would provide a possible 4600 internment sites, are proposed to be located approximately four (4) metres from the site's northern property boundary, three (3) metres from the eastern property boundary and 11 metres from the Cummins Road frontage, behind a vegetation buffer and supplementary 5.5 metre grassed parking area to this frontage.

Those attending the cemetery will access the site from an existing 7 metre wide sealed bitumen access from Cummins Road currently used for the crematorium, located in proximity to the existing car park and residence, with a constructed 3.2 metre wide road extending from the car park to a 24 space car park located to the south of the proposed plots that has been constructed since this application was lodged. It is noted that separate approval for the construction of this car park and access has not been granted by Council, nor have RPEQ certified documents been provided to date to demonstrate 'Accepted' development.

1.2 *Site Description*

The subject land is a 2.024ha parcel of land located at the corner of Von Deest Street and Cummins Road, Branyan, both roads being sealed with no kerb and channel. A low set residence, which presents to Von Deest Street, is located in the south western corner of the site, with additional buildings associated with the predominant use of the site as a crematorium (chapel, cremation rooms, office and covered reception area) extending eastwards in some proximity to the site's southern boundary. Public access to the crematorium facility is gained via a sealed access from Cummins Road, with an internal driveway circuit augmented by 17 marked car parks. Well-maintained landscaped gardens and memorials are present throughout the southern half of the site, with the area to the north being grassed. The site is undulating from approximately 29m AHD to 32m AHD, with a depression in the centre which trends to the west. A sealed access from Cummins Road (approximately 76 metres from the site's northern boundary) provides for egress from the constructed internal car park and associated 3.2m wide concrete internal access road connecting to the southern ingress point demarcated through the use of white painted timber posts and rails.

The site is interspersed with some trees and a large concrete edged garden bed, set back approximately 5.5 metres from Cummins Street, is located in some proximity to the northern extent of the property, extending to the point of access; the area between this planting and the eastern property boundary is grassed and utilised for overflow parking purposes. The northern property boundary of the site is fenced with a low mesh and barbed wire fence; plantings to this fence line range in width (approximately 1.5-3m) and permeability, with dense vegetation present on the block to the north, which accommodates a residence and associated buildings.

During the site visit, some landscaping materials were stored in the north-western portion of the site. Whilst some trees were present in the vicinity of the western boundary to the grassed area, this property edge was not fenced, although some wooden posts appeared to be remnants of such infrastructure. A clear view to the adjoining rural residential property to the east was available from the site.

Uses surrounding the site appear to be generally rural residential in nature, although some light industrial activities are present at the end of Von Deest Road, oriented towards Childers Road. A number of shade structures indicating an agricultural use were also present on a property at Von Deest Street, although it was unclear if such a use had been abandoned.

2. ASSESSMENT PROVISIONS

2.1. Applicable Planning Scheme, Codes and Policies

The applicable local planning instruments for this application are:

Planning Scheme: Planning Scheme for Bundaberg City

Applicable Codes: The application is subject to impact assessment and as such, assessment against the entirety of the scheme is required. However, codes of particular relevance to the application include:

- Community Activity Code
- Infrastructure Services Code
- Landscaping Code
- Vehicle Parking and Access Code

Applicable Planning Scheme Policies:

- Landscaping Planning Scheme Policy
- Bundaberg Engineering Design Planning Scheme Policy

2.2 State Planning Instruments

The applicable State planning instruments for this application are:

- SPP December 2013; and
- Wide Bay Burnett Regional Plan.

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

Community Activity Code

The proposed development is categorised a ‘Special Purpose’ land use, however when considering an appropriate use code for assessment is possibly best described as a community activity (synonymous with activities regularly undertaken by a government). Specifically, the purpose of the Community activity code is to ensure that the development of community activities, special uses and utilities limit the adverse impacts on nearby properties and the environment. In this regard, assessment of the proposed cemetery has been undertaken against this use code and can be considered to generally comply with, or can be conditioned to comply with, the performance criteria and purpose of this code. Performance criteria one (P1) requires that all special uses must be provided with an acceptable standard of infrastructure. The proposed development does require the connection to reticulated infrastructure (albeit there is minimal provided in the location), however appropriate on site services are available and an adequate standard of stormwater and road infrastructure can be demonstrated. Further, the proposed development can be conditioned to comply with the acceptable outcomes of the code relating to landscaping, setbacks, hours of operation and external lighting. Despite being constructed during the process of this development application in a slightly modified form that shown on the proposal plans, the on-site car parking complies with the requirements and has been specifically assessed against the Vehicle parking and access code (as required within Acceptable solution 5.1 (A5.1) of the Community activity code), further mentioned within this report. It is noted that Council does require the applicant to further demonstrate this compliance through the lodgement of RPEQ certification (as expected with works that are ‘Accepted, subject to requirements’). Any further amenity and nuisance considerations of the use, such as noise and odour will be regulated in the future by the provisions of the *Environmental Protection Act* and an advice note has been recommended accordingly.

Stormwater/ water quality

The proposed development generally complies with the requirements of the Infrastructure Services Code, specifically P4 which relates to stormwater drainage. Stormwater runoff from the development is not likely to result in unacceptable water quality, increased flooding or erosion impacts.

A stormwater drainage plan will be required to be submitted and designed to ensure that stormwater runoff is dispersed from the proposed gravesite locations as quickly as possible to the lawful points of discharge without ponding to minimise infiltration.

To further minimise the risk involved in stormwater infiltration (and its potential effect on groundwater quality) to a less than “unlikely” risk, it is recommended that a condition be imposed introducing the added precaution of utilising the hermetically sealed bags

as described by the applicant in their response to outstanding items during the assessment process (discussed in Insite SJC's letter dated 17 October 2017 in response to Bundaberg Regional Council's Outstanding Issues letter dated 21 October 2014 and includes a specialist consultant's report). Further, the development does not impeded the conveyance of upstream stormwater through the site. It is noted that standard operational works conditions that have been recommended result in future works that are 'Accepted, subject to requirements' on the basis that an RPEQ certifies works. Any stormwater impacts of the car parking already in place will need to be considered in the RPEQ assessment and where there is a non-compliance, mitigation measures will need to be retrofit or the design altered.

Groundwater issues

The consideration of groundwater impacts from the proposed use has been a large factor within the assessment of this application, which has required further clarity throughout the process. In Council's information request dated 7 August 2014, the applicant was requested to provide a geotechnical and geo-hydrological analysis prepared by a suitably qualified person that detailed the soil typology of the site, proximity to groundwater and variances in water levels, accompanied by an analysis of the site's appropriateness for the requested use. The investigation was also required to have regard to the decomposition process and any impacts of hazardous leachates on the soil and groundwater. In response, an investigation report dated 25 February 1999, prepared by Jalmetal Pty Ltd C.M. Testing Service was provided, which included soil profile information relating to three bores drilled to a maximum depth of three (3) metres. Whilst the site conditions summary indicates that the water table was not encountered, there is no discussion in relation to the water table and its variances, the permeability of the soil and the potential for contaminants to be conveyed to the aquifer.

Council was in receipt of information during the assessment process from the Department of Natural Resources and Water (DNRM) that indicated that the potentiometric surface for the aquifer in DNRM monitoring bores in this general area is frequently less than two metres below natural surface and that there are a number of private bores in the vicinity of the site that are accessing either the Elliott Formation or Burum Coal Measure aquifers. Subsequently, based on the information to hand, and considering that the soil on the subject land has some permeability, a further request was made by Council to the applicant to address outstanding issues on 21 October 2014, noting specifically a concern that seepage could occur into the aquifer, polluting it as a result of contaminants from the decomposition of bodies entering the underlying groundwater and particularly as an item of public submissions. The applicant was requested to submit a report, authored by a suitably qualified hydrogeologist or groundwater consultant that addressed a number of factors and provided recommendations for setbacks and any other use based commentary.

Council's further request for information requested that the applicant submit a report from a suitably qualified person providing analysis and having regard specifically to "the decomposition process and any impacts of hazardous leachates on the soil and groundwater." After extensive consultation with industry experts, professional bodies

and scientific researchers, the applicant sought the assistance of Dr MJ Lategan PhD. Dr Lategan provides consulting services in environmental microbiology in the area of aquatic microbiology, groundwater ecotoxicology and development of microbial indicators for assessing groundwater contamination. Dr Lategan is a member of the Australian Society for Microbiology and a past member of the Fresh Water and Ecotoxicology Research Laboratory at Macquarie University. Subsequently, Dr Lategan provided a Consultation Report, titled *The potential for contamination of the regional aquifer/s and soil environment at 1 Von Deest Street, Branyan from burial/decomposition processes.*

The report concludes that the 'vadose zone' between the burial environment and the Elliott Formation aquifer combined with the natural properties of Sandy Clayey soils is likely to provide sufficient distance for the successful attenuation of human-associated microbes as well as allow chemical and biochemical transformation and the mineralisation of decomposition elements. Therefore, the conclusions note that any impact to groundwater from burial activities on the proposed cemetery site is "highly unlikely". It is noted that the submitted report did not ultimately provide broader commentary on the use type and site suitability, however, it is considered that Council's assessment has taken this matter into account in its own assessment.

In her submission, Dr Lategan introduces the option of using human pouches (body bags) to provide a further degree of comfort to Council that water pollution will not occur as a result of the development, notwithstanding that Dr Lategan believes they are not an internment process necessary to protect the characteristics of the groundwater aquifer. For this additional degree of comfort, they have been recommended as a condition of approval for inclusion in the curial process.

Roadworks and Access

The Vehicle parking and access code is applicable to the proposed development. It is considered that the proposal can comply, or be conditioned to comply with the requirements of this code. The above noted Insite SJC letter dated 17 October 2017 advises that the applicant has already constructed a fully sealed overflow carpark with 23 parking spaces. The 4m wide internal connecting road depicted on the original proposal plan has also already been constructed in concrete at a slightly smaller dimension. Undertaking a retrospective assessment (post construction), it is considered that through the recommended conditions compliance can be achieved with all performance criteria. Similarly, subject to receiving the RPEQ certification of these works, there will not be a requirement any future Operational works application to be lodged.

Additionally, the existing 5.5 m grassed area adjoining Cummins Road proposed to be continued to be used for overflow traffic has been inspected and is considered to be fit for purpose. In this regard, a condition has been recommended for general angled parking signage to be erected in this location (on the subject site) to ensure the efficient use of the area.

Landscaping Code

The purpose of the Landscaping code is to achieve an acceptable standard of landscaping through species selection, location and maintenance in order to mitigate the visual impacts of development, provide adequate privacy and screening, delineate and enhance pedestrian and vehicle routes and enhance safety and security of pedestrians, vehicles and transport network (among others). The proposed development complies, or can be conditioned to comply with, the appropriate requirements of this code.

Of particular mention are the Acceptable solutions for P1 and P2. These requirements relate to the planting and other landscape treatments provided to enhance the appearance of the development and protect the privacy of any existing residential areas in the vicinity. Included within the recommended conditions are requirements for landscaped areas/ buffers to the Cummins Road frontage and both adjoining boundaries. These buffers are marginally larger than the suggested solutions within the planning scheme code due to the sensitive nature of the type of development proposed and the concerns raised in the submissions received. Also, the assessment manager has considered the recommendations of the applicant's submitted specialist (Dr M J Lategan) report referred to previously, received on 17 October 2017 and other guidance relating to the matter within the *Guidelines for the establishment of a cemetery*, authored by The Australasian Cemeteries and Crematoria Association (2009).

This matter was also the subject of multiple information requests. Submissions raised concerns in reaction to the character of the proposed development, being a cemetery with sections identified for the location of headstones (0.45m and 1m in height respectively) and the potential for such memorials to be viewed from adjoining roads and residence. It is understood from early discussions on site that the information provided on the plan in relation to standard and freeform headstones reflected an earlier, superseded plan and that it was intended that lawn plaques only were envisaged. This requirement however has not been expressly recommended as a condition.

The site visit conducted on 15 October 2015 confirmed that there was some variation in existing plantings to the northern and eastern boundaries of the site in proximity to the interment area, noting that no fencing was present to the eastern boundary and only a low mesh and barbed wire fence was present to the north, confirming the submitter concerns of direct views. Planting to the northern boundary ranged in width between approximately 1.5 and 3m, with views available through this vegetation to flora on the adjoining site.

Clear views of the private open space of the adjoining property to the east were also available internally from the site, given the inconsistency of any screening. Noting the content of submissions in relation to visual amenity, it is considered that it is appropriate to condition a landscaping plan with increased fencing.

Current Planning Scheme

Section 317 of the *Sustainable Planning Act 2009*, states that in assessing the application, the assessment manager may give weight to a planning instrument, code or policy that came into effect after the application was made. Also, as previously mentioned above, it is considered appropriate to consider the requirements of the contemporary planning policy under the Coty Principle (i.e. giving assessment weighting to a later planning policy).

Additionally, the need to commission a detailed analysis regarding a number of outstanding issues explains the significant amount of time since lodgement of the development application and it is relevant to assess the application broadly against the contemporary planning scheme. In this regard, the proposed uses are appropriate and consistent with the current Community Facility Zone and have the same level of assessment within the current scheme.

Likewise, within the contemporary policy, the proposed use is categorised as a Community activity and can be assessed against similar provisions. Specifically within the Community activities code (relevant use code), the proposal can comply with, or be conditioned to comply with, relevant criteria. The use will be co-located with a similar facility established in this zone, represents an appropriate site cover and effective landscaping and fencing conditions have been recommended to protect the residential amenity of the surrounding area. It is noted that the proposal also complies in terms of service provision and infrastructure, with car parking in particular mentioned a previous section of this report.

Therefore, it is considered that the proposed development complies with the contemporary policies in addition to the applicable Bundaberg City Planning Scheme and supports the intent for this location.

Public Notification

The following matters were raised by submitters:

Grounds of Submissions	Considerations
1 Although a crematorium exists on the subject land, a cemetery is not consistent with the predominant surrounding land use, which is rural residential.	The proposed development is considered a special use, with specific and unique land use impacts to be considered. On balance, it is considered that the incorporation of a burial component to the existing crematorium use does not represent an unacceptable level of additional impacts, with very similar use characteristics and no additional built form, aside from the burial plots/ headstones.
2 As the new Bundaberg Regional Planning Scheme has not yet been released, consistency with this planning	The Bundaberg Regional Council planning scheme has now been endorsed and considered as part of

	document has been unable to be determined.	the assessment. The subject site has been included in the Community facilities zoning.
3	Not enough designated parking is being allowed for services; parking indicated is sufficient for those paying their respects, but not for those attending services. Current crematorium services can attract hundreds of cars which park along Cummins Road and Norgrove Road.	Additional car parking has been provided as part of this proposed development. It is noted that the inclusion of the cemetery use does not in itself generate any additional demand as the existing facilities will be utilised for services. However, a condition has been recommended for the use of traffic controllers for any services/ memorials which will direct all visitors to the onsite parking (including the grassed overflow parking) prior to any parking in the road reserve being utilised. Additional signage is also to be provided for angled parking within the grassed overflow parking within the site as part of a recommended condition.
4	There are safety concerns associated with the proposal, given angle parking, the protrusion of some parked vehicles onto the carriageway, the 80km speed zone and the lack of line marking and a turning lane into the premises.	The proposal has been analysed by traffic engineers who have determined that the safe and efficient function of the road can be achieved. The appropriate sight distances can be accommodated. The maintenance/ clearing of landscaping on the site (near the overflow car park) consistently will ensure that this can be achieved.
5	The proposal would place a further burden on intersections which are already of a 'reduced quality' as a result of increased services and visits by those grieving a loss.	It is considered that there is unlikely to be a further burden on the road due to the inclusion of the proposed cemetery use on the site. The use is not increasing the peak event, rather the number of events. The per event number of cars is unlikely to change given the service/ ceremony capacity and regularly the funerals are undertaken outside of peak traffic times. Therefore, the intersection safety performance is not likely to be compromised.
6	Increased use of the verge for parking will damage the grass and cause erosion	The existing 5.5 m grassed area adjoining Cummins Road proposed

	and damage to the road base, resulting in increased maintenance costs for Council.	to be continued to be used for overflow traffic has been inspected and is considered to be fit for purpose.
7	The scale and design of the proposal is incompatible with the surrounding area, which is characterised by residential presentations or vacant land.	<p>The proposed development is considered to be low impact in terms of built form and scale. The use is similar to the existing established crematorium facilities on this site, which are to be utilised for the ceremonies and services, with a different option for interment to be provided.</p> <p>The contemporary planning scheme for the Bundaberg region has since included this site in the Community facility zone, recognising the type of use that is undertaken. The surrounding residential uses have been considered in the assessment of the application.</p>
7	Dense vegetation within an adjoining lot is being proposed to act as a buffer between the use and an existing residential use. Amenity buffers should be located within the subject site.	The Assessment Manager would agree with this submission point. As part of recommended conditions, increased landscaping, including on site landscaping buffers, is to be provided.
9	Increased odours will result from the use, beyond that already experienced as a result of the existing crematorium.	It is unlikely that the burial of caskets and the like will result in the generation of nuisance odours. However, the ongoing regulation of odour nuisance is regulated by the <i>Environmental Protection Act</i> . An advice note to this effect has been included in the recommended conditions.
10	Various concerns are held in relation to the protection of groundwater quality: <ul style="list-style-type: none"> • The report compiled by Jalmetal Pty Ltd CM Test Service was compiled in 1999 and changes to the groundwater level may have occurred in the intervening 15 years, particularly given major rain events in 2012 and 2013; 	<p>Recent analysis of the groundwater conditions and likely impact of the proposed use has been recently produced by a qualified professional (dated 19 September 2017).</p> <p>DR M J Lategan's report demonstrates that the 'vadose</p>

	<ul style="list-style-type: none"> • The above-referenced report provides no information regarding the groundwater level, directional flow or quality. There is no information supporting the level of 13.7m below the surface provided in the planning report; • The application does not address or investigate the potential contamination issues relating to the decomposition process (i.e. bacterial, viral, heavy metal and chemical contamination); • Numerous surrounding properties utilise bores for irrigation and stock watering; and • The natural environment will not be protected or enhanced by the use of the land as a cemetery. 	<p>zone' between the burial environment and the Elliott Formation aquifer combined with the natural properties of Sandy Clayey soils is likely to provide sufficient distance for the successful attenuation of human-associated microbes as well as allow chemical and biochemical transformation and the mineralisation of decomposition elements. Therefore, the conclusions note that any impact to groundwater from burial activities on the proposed cemetery site is "highly unlikely".</p> <p>This report concludes that there is ample separation distance between the proposed bottom of grave and the exiting aquifers.</p> <p>Conditions have been recommended relating to the ongoing monitoring of groundwater and the need for remediation action where necessary (breach of a terms of reference).</p>
11	<p>Various concerns are held in relation to soil:</p> <ul style="list-style-type: none"> • The report compiled by Jalmetal Pty Ltd CM Test Service is 15 years old and commentary regarding current soil suitability should be required; • There is the potential for soils to become contaminated as a result of the decomposition process; • Creation of 1539 grave sites would produce substantial soil and fill that could not be used purely on garden maintenance. Any stockpiles should be managed to prevent erosion and stormwater contamination; and 	<p>Similar to the above response to Item 10, a recent report has been undertaken by a suitably qualified professional relating to the soil types specific to this site and the likely impacts of the proposed burials. The 'vadose zone' between the burial environment and groundwater combined with the natural properties of existing Sandy Clayey soils in this area is likely to provide sufficient distance for the successful attenuation of human-associated microbes as well as allow chemical and biochemical transformation and the mineralisation of decomposition elements to occur within the soil without negative effects.</p>

	<ul style="list-style-type: none"> The natural environment will not be protected or enhanced by the use of the land as a cemetery. 	Further to this, the management of any disturbed soils from the grave digging process has been considered in the assessment and recommended conditions.
12	Noise from increased services (including that from traffic, people, music and machinery) will negatively impact on the amenity of the area.	Hours of operation are to be restricted, including machinery use. Additionally, landscaping buffers and 1.8m high solid screen fence are to be provided to the perimeter. The ongoing regulation of noise nuisance is regulated by the <i>Environmental Protection Act</i> . An advice note to this effect has been included in the recommended conditions. Any validated noise complaint in the future will be investigated under these provisions.
13	The application proposes no mitigation measures to offset the visual impacts of the proposal when viewed from the road or residences opposite the site, with resultant impacts on home owners having to regularly view the cemetery.	Landscape buffers are to be provided to all boundaries for screening. These are included as recommended conditions. In addition, a screen fence is recommended in the conditions and other conditions relate to the commencement of burials in the eastern side of the lot (further removed from the adjoining areas).
14	The site is not large enough to accommodate a cemetery.	The proposal submitted by the applicant demonstrates that ample area is available on the site for burial plots and the associated car parking and open space areas. It is also noted that the size of the burial plots has been stipulated by Council in the recommended conditions in accordance with guidelines by the Australiasian Cemeteries and Crematoria Association.
15	The use of the land for a cemetery would result in a decrease in land values in the area.	This is not considered to be a relevant planning ground included within the submission. Reasonable conditions have been recommended to be applied to

		ensure that the existing amenity of the area has been taken into account.
16	There is no buffering along the north eastern boundary of the site, to obscure views of headstones from adjacent properties.	Landscape buffers are to be provided to all boundaries for screening. These are included as recommended conditions.
17	Being located adjacent to a cemetery would evoke an 'uneasy feeling'.	Although not specifically planning grounds for a submission, the recommended conditions include the requirement for dense landscaping (10m in width, minimum 3m in height) and a solid screen fence to be established on the boundaries of the use (presenting externally) to allow for screening of the use from adjacent sites.

4. REFERRALS

4.1 Internal Referrals

Advice was received from the following internal departments:

Internal department	Referral Comments Received
Development Assessment - Engineering	30 January 2018
Water and Wastewater	5 August 2014 (confirmation sought 6 February 2018)

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 16 September 2014 until 8 October 2014. The Applicant submitted documentation on 9 October 2014 advising that public notification had been carried out in accordance with the *Sustainable Planning Act 2009*. Council received three (3) submissions in relation to this development application during this period. Any significant issues raised have been included in section 3 of this report.

6. DRAFT CONDITIONS

Draft conditions were issued to the Applicant on 8 February 2018.

The Applicant did not submit representations regarding the draft conditions.

Communication Strategy:

Communications Team consulted. A Communication Strategy is:

- Not required
- Required

Attachments:

- ↓ 1 Locality Plan
- ↓ 2 Site Plan
- ↓ 3 Approval Plans

Recommendation:

That Development Application 322.2014.41207.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Material Change of Use for Special Use (Cemetery)

DECISION

- Approved in full subject to conditions

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:

	Sustainable Planning Regulation 2009, schedule reference	Development Permit	Preliminary Approval
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Deemed Approval

Section 331 of the *Sustainable Planning Act 2009* (SPA) is not applicable to this decision.

2. PRELIMINARY APPROVAL AFFECTING THE PLANNING SCHEME

Not Applicable.

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 Building Work
- All Plumbing and Drainage Work
- 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. DETAILS OF ANY COMPLIANCE ASSESSMENT REQUIRED FOR DOCUMENTS OR WORK IN RELATION TO THE DEVELOPMENT

Not Applicable

6. SUBMISSIONS

There were three (3) 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	Address
1. John & Helen Clare	10 Norgrove Road, BRANYAN, QLD 4670
2. Ross & Carolyn Orpin	210 Cummins Road, BRANYAN, QLD 4670
3. Stephen & Sharon Bradley	12 Norgrove Road, BRANYAN, QLD 4670

7. 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.

8. REFERRAL AGENCY

Not Applicable

9. 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
Z14-272 P Sheet 1 of 1	Material Change of Use – Special Use (Crematorium and Cemetery)	June 2014

10. WHEN APPROVAL LAPSES IF DEVELOPMENT NOT STARTED

Pursuant to section 341 of the *Sustainable Planning Act 2009*, this approval will lapse four (4) years from the date that the approval takes effect unless the relevant period is extended pursuant to section 383.

11. CONDITIONS ABOUT INFRASTRUCTURE

The following conditions about infrastructure have been imposed under Chapter 8 of the *Sustainable Planning Act 2009*:

Condition/s	Provision under which the Condition was imposed
5,6,7,8,9,42,43,44	Section 665 – Non-trunk Infrastructure
N/A	Section 646 – Identified Trunk Infrastructure
N/A	Section 647 – Other Trunk Infrastructure

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 commencement of the use, unless otherwise stated within this notice, and maintain compliance whilst the use continues.

Amended Plans

4. Submit to and have approved by the Assessment Manager amended plans which incorporate the following:
 - a. Amended burial plot layout to accommodate the conditions of approval, particularly plot size, landscaping and access; and
 - b. The constructed car parking area.

Once approved, the amended plans will form part of the Approved Plans for this development.

Access

5. Driveways must comply with the standards specified in the *planning scheme policy for development works – driveways and access to developments*.
6. Submit a completed copy of Council's 'Application to carry out works in, on, over or under Council owned and maintained property' form prior to works on the access being undertaken.
7. Provide certification from a Registered Professional Engineer Queensland (RPEQ) that the access has been designed and constructed with the conditions of this and any other relevant approval issued by the Assessment Manager. Council does not require the submission of an operational works development application for the access where the works are certified by a RPEQ.

Car Parking

8. Design and construct additional off-street car parking and vehicle manoeuvring areas with a minimum of 24 parking spaces. Such car parking, access and manoeuvring areas must be generally in accordance with the Approved Plans and be:-
 - a. constructed and sealed with bitumen, asphalt, concrete or approved pavers;
 - b. line-marked into parking bays;
 - c. designed to include a manoeuvring areas to allow all vehicles to leave the site in a forward gear;
 - d. designed to include the provision of fill and/or boundary retaining walls to allow for the containment and management of site stormwater drainage as required;
 - e. sign posted to indicate entry/exit points, in addition to line marking, to indicate the traffic flow through the site;
 - f. drained to the relevant site discharge point; and
 - g. designed in accordance with AS/NZS2890.1-2004: 'Parking Facilities Part 1: Off-street Car Parking'.

9. Provide certification from a Registered Professional Engineer Queensland (RPEQ) that car parking has been designed and constructed in accordance with the conditions of this and any other relevant approval issued by the Assessment Manager. Council does not require the submission of an operational works development application for the car park where the works are certified by a RPEQ.
10. General angled parking signs are to be installed on the overflow car parking area to the Cummins Road frontage within Lot 1 on RP134181.
11. The landscaping/ vegetation located to the front of the overflow car parking area shown on the approved plans must continue to be trimmed/ maintained behind the concrete barrier for the full length of the parking area.
12. The operator of the approved use must provide one (1) designated employee to control traffic during a ceremony/ service to be held on site. In the first instance, all parks within the site are to be occupied (including the overflow car park) prior to the use of the public roadway.

Construction Management

13. Unless otherwise approved in writing by the Assessment Manager, do not undertake any building, or other work in a way that makes audible noise:
 - a. On a business day or Saturday, before 7.00am or after 6.30pm; or
 - b. On any other day, at any time.
14. Contain all litter, building waste and sediments on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or roads.
15. Remove any spills of soil or other material from the road or gutter upon completion of each day's work, during construction. These material spills and accumulated sediment deposits must be managed in a way that minimises environmental harm and/or damage to public and private property.

Fences

16. Provide a 1.8 metre high solid no-gap screen fence to the side and rear boundaries of Lot 1 on RP134181 where the cemetery use is to be established (i.e. can exclude the crematorium section), commencing from the road frontage of the subject property, where such fencing does not currently exist. The erection of a second boundary line fence parallel to any existing boundary fence is prohibited.

Nature and extent of the approved use – Cemetery

17. The approved use must be kept open to the public during the hours of operation, specified as:
 - a. Monday to Friday, 7am to 6pm
 - b. Saturday and Sunday, 8am to 5pm

18. Upon the commencement of the use (burials undertaken), the subject land is to remain as a cemetery use in perpetuity.
19. An appropriate identifying plaque must be placed on or adjacent to the place of each burial until an appropriate memorial to the deceased is erected or installed.
20. Consistent nominated plaque and monument sizes are to be approved by the Assessment Manager prior to the use commencing and maintained for the life of approved use. The use of heavy equipment and trucks/ heavy vehicles to transport any monuments is to be limited. The impacts of any monuments on stormwater management must also be considered.
21. A burial or other disposal must not be carried out outside the hours which the cemetery is open to the public (operating hours).
22. All burials in the cemetery must be within an enclosed in a coffin or other form of container, and bodies must be placed within a hermetically sealed bag (pouch).
23. Undertake maintenance of memorials, gravestones and other buildings and structures within the cemetery use for the life of the use by the landowner and/or operator to the satisfaction of the Assessment Manager.
24. A full burial record must be maintained and made available for inspection by the Bundaberg Regional Council upon request, at all times for the life of the cemetery use.
25. The owner/ operator of the cemetery must give the local government notice annually of the burials undertaken at the cemetery for the preceding twelve month period.
26. The minimum dimensions for an adult burial plot must be 2.4m (long) by 1.0m (wide) and include appropriate access between plots for grave digging access and public access in accordance with the Australasian Cemeteries and Crematoria Association 'Guidelines for establishment of a cemetery'.
27. A maximum of two bodies may be buried in a single grave site. Where possible, the second burial is to occur within ten (10) years of the first burial and must be placed on top of the first layer soil (0.3m separation).
28. The placement of headstones/ memorials on graves is to be limited in compact areas where access is restricted, to ensure the preservation of existing graves and memorials.
29. The burials are to commence in the eastern portion of the site (furthest from Cummins Road).

30. Adequate security is to be provided to ensure that public access outside of hours is regulated. Vandal and theft strategies, including lighting and surveillance must be considered and included in any management procedures.
31. Any dirt mounds (temporary storage of dirt from grave digging) must not be visible from the nearby properties and must not cause nuisance. Dust suppression is to be undertaken, particularly during high winds and weather events.
32. Effective sediment and erosion control measures are to be utilised on the site, particularly where dirt mounds are present.
33. The use of machinery and equipment used to excavate grave sites is to be limited to the hours of operation.

Groundwater monitoring

34. A groundwater monitoring bore is to be established on the site in a location approved by the Assessment Manager to enable annual water quality monitoring. A minimum 1m separation distance from the bore to any burials site must be adhered to.
35. Groundwater monitoring is to be undertaken while the use continues in accordance with Terms of reference drafted by the developer and approved by the Assessment Manager. The terms of reference must include:
 - a. Stipulation of appropriate microbiology/ toxins in ground water to be screened and the corresponding safe levels for contact with humans
 - b. Where there is a non-compliance with the accepted levels detected, a Remediation plan must be developed and enacted.
 - c. Continuous water level monitoring is required to establish a minimum 1m separation from the bottom of the grave and the water table level of an aquifer.
36. Aside from monitoring bores, there are to be no future bores established on the subject site.

Landscaping

37. Submit a Landscape Plan to the Assessment Manager for approval prior to the commencement of any landscaping works. The plan must have regard to the conditions of this approval and include, but is not limited to, the following features:
 - a. The area or areas set aside for landscaping;
 - b. Location and name of existing trees and vegetation, which must all be retained;
 - c. A plan and schedule of all proposed trees, shrubs and ground covers which identifies:

- i. The location 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;
- d. The location of all areas to be covered by turf or other surface material including pavement and surface treatment details;
- e. Measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;
- f. Details of any landscaping structures, including entrance statements;
- g. Details of cutting and filling and all retaining structures and fences and associated finishes;
- h. Contours or spot levels if appropriate;
- i. Fence size and materials;
- j. Inclusion of a controlled underground or drip irrigation system. Any such system is to be fitted with an approved backflow water prevention device;
- k. Location of any drainage, sewerage and other underground services and any overhead power lines;
- l. Location of approved grave sites and availability of access to landscaped areas;
- m. Property boundary garden/landscape bed edge walls must be provided with sleeper or equivalent retaining walls to contain the garden material within the site. Such walls must be constructed to a height that is at or above the sealed car parking areas;
- n. One (1) tree for each six (6) car parking spaces;
- o. Vegetated screening of any electrical transformers, bin storage areas and the like from the road frontage;
- p. A minimum 10 metre wide landscaping buffer along the northern (side), eastern (rear) and western (front) boundaries of the subject site where the cemetery use is to be established, exclusive of the existing memorial gardens and crematorium use area, uncompromised by infrastructure items. This landscaping buffer can incorporate existing vegetation, must reach a minimum height of 3 metres (at maturity) and must include deep rooting trees and shrubs which will dehydrate the soil and supply oxidising conditions;
- q. Landscaping to the southern edge of the cemetery use (within the subject site) either as isolated planting or landscaping strip, which can be consistent with existing vegetation on site, to provide additional screening from adjoining uses.

- r. Vegetated screening of the approved cemetery use from Cummins Road, designed such that 80% of the cemetery will be screened within 3 year;
38. Provide certification from a Landscape Architect or other suitably qualified person that the landscaping has been constructed and established in accordance with the conditions of this and any other relevant approval issued by the Assessment Manager. Council does not require the submission of an operational works development application for the landscaping where the works are certified by a Landscape Architect or other suitably qualified person.
39. Complete landscaping shown on the endorsed plans prior to the commencement of the use and maintain all landscape works in accordance with the Approved Plan whilst the use continues.

Lighting

40. External lighting used to illuminate the premises must be designed and provided in accordance with Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.

Loading/Unloading

41. Loading and unloading of all vehicles associated with the use must occur on the subject site.

Stormwater Management

42. Submit a Site Based Stormwater Management Plan (SBSMP) for the development to the Assessment Manager for approval. The SBSMP must be prepared by a suitably qualified person and include, but is not limited to:
- a. a summary of stormwater quality, quantity and waterway corridor management objectives. Stormwater drainage must be designed and constructed in accordance with the requirements of the Queensland Urban Drainage Manual and Bundaberg Regional Council, i.e., a piped system with a capacity to cater for 10 ARI flows, with overland flowpaths to be provided for a capacity of Q100ARI less piped flow;
 - b. a design that ensure that stormwater runoff is shed from the location of the proposed gravesites as quickly as practically possible to the lawful point of discharge without ponding to minimise infiltration.
 - c. identifies proposed lawful points of discharge, easements and any land dedications for drainage reserves;

When approved, the Site Based Stormwater Management Plan will form part of the Approved Plans for this development.

43. Undertake the stormwater management on site in accordance with the approved Site Based Stormwater Management Plan, including the construction of any necessary works.
44. Provide certification from a Registered Professional Engineer Queensland (RPEQ) that stormwater management has been undertaken on site in accordance with the conditions of this and any other relevant approval issued by the Assessment Manager. Council does not require the submission of an operational works development application for the stormwater management where the works are certified by a RPEQ.

Waste Management

45. Provide a sufficient area for the storage of all waste bins. This area must be sealed, screen fenced and designed so as to prevent the release of contaminants to the environment.
46. Maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause any nuisance, to the satisfaction of the Assessment Manager.

PART 1B – ADVICE NOTES

Environmental Harm

- A. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction and operational phases of this development, are to adhere to their ‘general environmental duty’ to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

Local Law

- B. Annual licensing is required under *Subordinate Local Law (SLL) No. 1.9 (Operation of Cemeteries) 2011*.

Fencing

- C. Should any existing fence not comply with the requirements of this approval, the existing fence must be replaced in accordance with the requirements of this approval.
- D. Fencing should be undertaken in accordance with the provisions of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*. This includes appropriate mediation practices and agreements regarding the type of materials, location and retrieval of any materials for any fence removed.

Nature and Extent of Approved Development

- E. This Decision Notice does not represent an approval to commence Building Works.

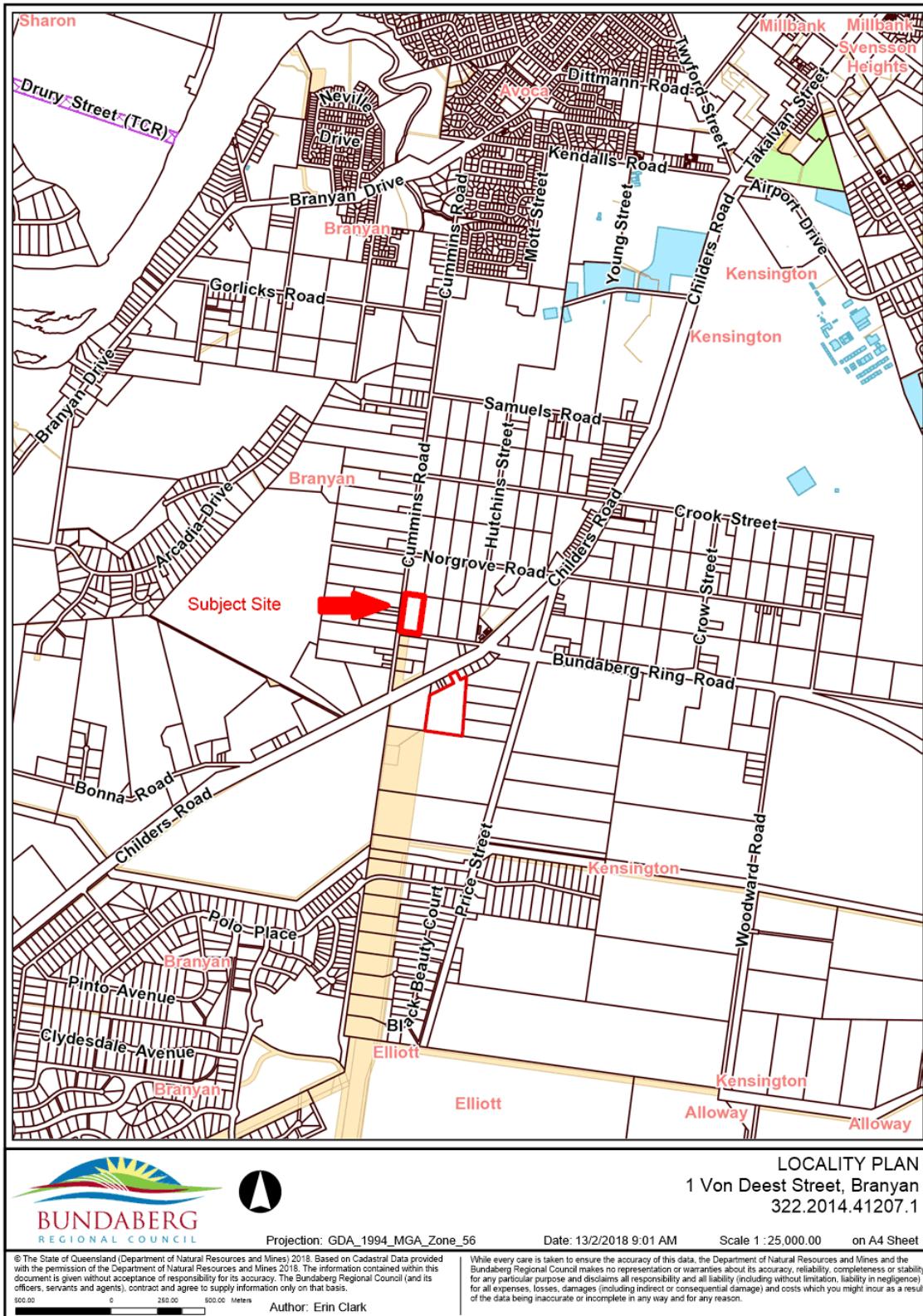
Signage

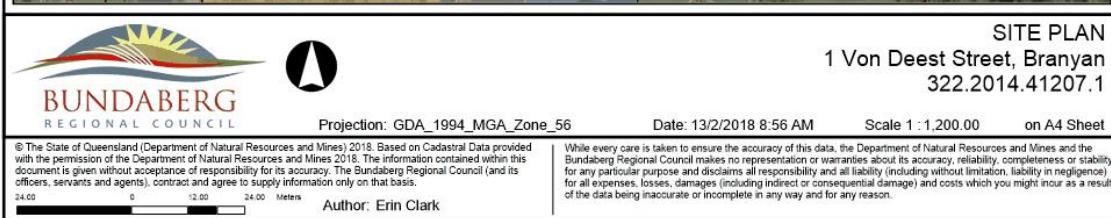
- F. An Operational Works permit is required to be obtained for all signs and advertising devices associated with the development that do not comply with the self-assessable criteria of the Planning Scheme in effect at the time of the proposed works.

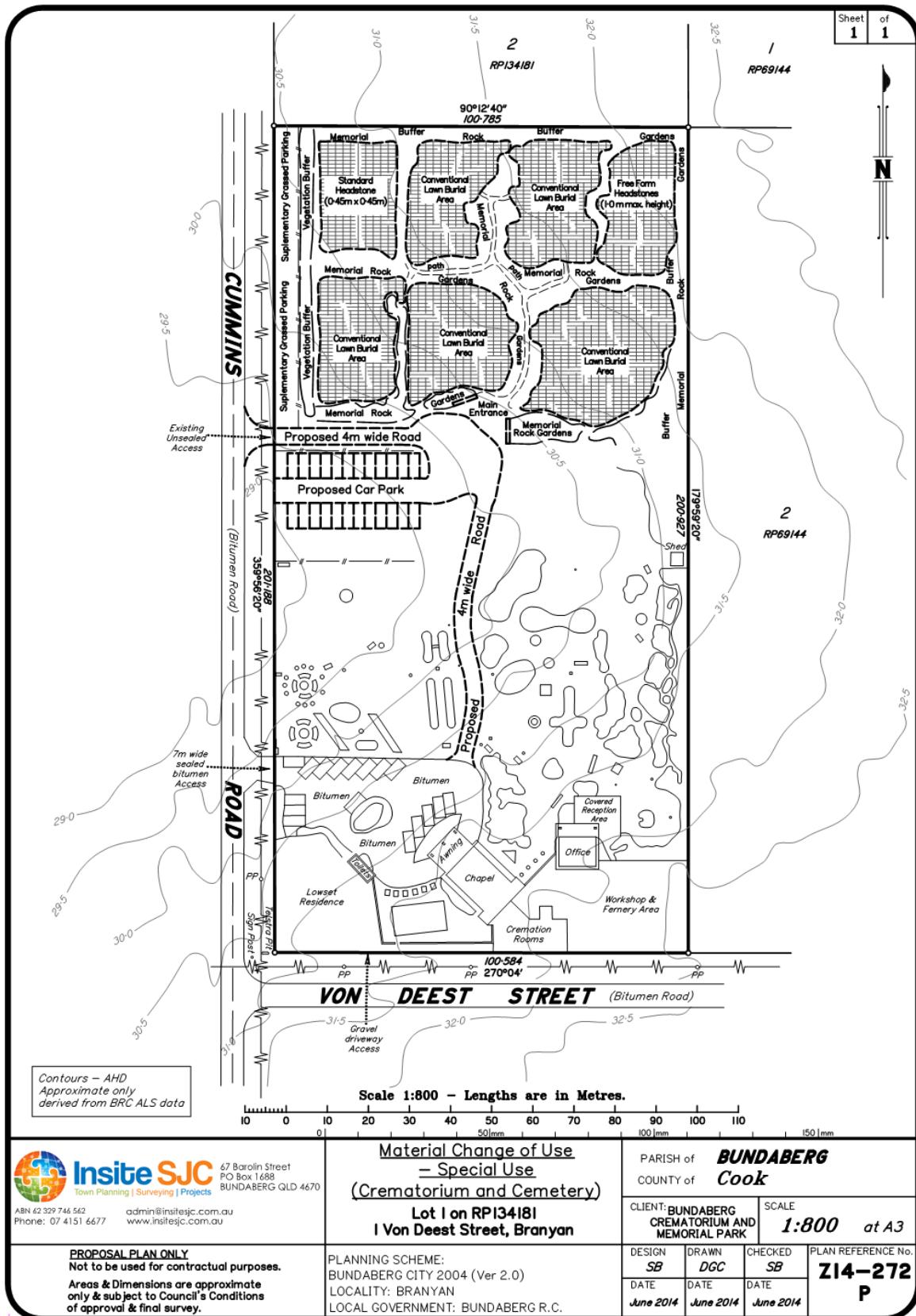
Operational Works

- G. This approval provides for some works to be undertaken on a self-assessable basis. Conditions specify where Council does not require the submission of an operational works application for specific works. To be clear, no further development permits for Operational Work are necessary to allow the development to be carried out.

Any Operational Works associated with this Material Change of Use or other engineering work proposed on the lot is subject to relevant assessment under the Bundaberg Regional Council Planning Scheme 2015 or the instrument in effect at the time of assessment. This can include works for on-site landscaping, internal vehicle circulation, manoeuvring and car parking areas, on-site stormwater management and access driveways.







**Item****27 February 2018**

Item Number:	File Number:	Part:
K2	525.2017.2.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

123 Takalvan Street, 58 Johnston Street, AVOCA (Part being Easement A) - Combined Application for Material Change of Use (Shop – Supermarket) and Operational Works (Advertising Device)

Report Author:

Erin Clark, Senior Planning Officer - Major Projects

Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Our Environment - 2.2 Sustainable built environments and local projects that support our growing population and promote economic investment and development.

Summary:

APPLICATION NO.	525.2017.2.1
PROPOSAL	Combined - Material Change of Use (Shop – Supermarket) and Operational Works (Advertising Device – Pylon Sign)
APPLICANT	Aldi Stores
OWNER	J Galea & J Galea & T J Galea
PROPERTY DESCRIPTION	Lot: 22 SP: 166702, Lot: 1 RP: 175009
ADDRESS	123 Takalvan Street AVOCA, Part of 58 Johnston Street AVOCA (Easement A)
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Medium Density Residential Zone and Specialised Centre Zone
OVERLAYS	Infrastructure, Airport and aviation facilities
LEVEL OF ASSESSMENT	Impact
SITE AREA	6569m ²
CURRENT USE	Short term accommodation (Motel) and Multiple dwelling
PROPERLY MADE DATE	6 November 2017
STATUS	The 35 business day decision period ends on 23 February 2018

REFERRAL AGENCIES	Department of Infrastructure Local Government and Planning
NO. OF SUBMITTERS	None
PREVIOUS APPROVALS	301.2008.20475.1 (Advertising device), 322.20002.1300.1 (Retirement village), 321.2003.1495.1
SITE INSPECTION CONDUCTED	14 December 2017
LEVEL OF DELEGATION	Level 3

1. INTRODUCTION

1.1 *Proposal*

The proposal seeks approval for a Development permit for a Material Change of Use for a Shop and Operational Works for an Advertising Device for the relocation of an Aldi Supermarket.

The proposed development is for a 1,740m² supermarket. The development achieves a maximum building height of less than 11m above natural ground level and a site cover of 26.4%. The building is setback greater than 6m to the frontage, more than 3m to the rear and over 5m to the sides. The proposed ALDI Store will achieve a total GFA of 1,740m², with a retail net area of 1,186m². Within the building, a 413m² storeroom is proposed which leads directly off the proposed loading dock.

The proposal maintains a conventional block form that reflects the modern vernacular and ALDI's high quality finish and design standard. In accordance with the trademark design, the facades of the building will consist of a palette of durable and textures and materials including colourbond roof sheeting, patterned tilt panel walls, paint finished fibre cement sheets and clear windows, presenting a modern commercial look. The store will address Takalvan Street through the inclusion of frontage works and landscaping.

The development will include 105 car parking spaces in its ultimate form. The ALDI Store is proposed to gain access via a single crossover being a left-in/right-in and left-out exit only onto Takalvan Street to the east of the store. The crossover which currently exists in this location will be extended. The site layout is appropriate for the access of a 19m articulated ALDI service vehicle to enter the site in forward direction, access the loading dock using a single reverse manoeuvre and exit the site in a forward direction. The development is provided with 5 bicycle spaces.

To meet the site's energy requirements, a pad mounted sub-station is proposed at the frontage, along with a proposed fire booster assembly. Aldi also propose to maintain or improve the amenity and functionality of the surrounding area by implementing an acoustic fence at the western boundary of the development adjacent to the loading dock area to reduce noise impacts to adjoining development; upgrading the existing footpath that connects the development to the retirement village in the north; and identifying a future connection point with the adjacent Stockland Shopping Centre.

The development application also seeks a Development Permit for Operational Works for placing Advertising Devices. The proposal is for two pylon signs, one large; and one small. This signage is required to identify the Aldi Store within the streetscape. The large pylon sign is 4.8m² in area, illuminated and has a 2.4m x 2m face area at 5.5m in height. The second smaller pylon sign is to be 1.4m² in area, illuminated with dimensions of 1.36m x 1.06m, at 2.15m high.

1.2 Site Description

The subject site is situated at 123 Takalvan Street, Avoca and is described as Lot 1 on RP175009. The site is located on the south eastern fringe of Avoca, approximately 4km west from the CBD of Bundaberg.

The subject site has an area of 6,569m² plus Easement A on RP175009 (Access only) and is currently occupied by the Tropical Gardens Motor Inn. The site has a road frontage to Takalvan Street of approximately 87.5m. The site is free of any significant vegetation with the exception of landscaped areas associated with the existing uses onsite.

The development site includes Easement A on RP175009. The easement gives the grantee passage over the lot on the condition that no vehicles or other obstruction stand or remain on the Servient Tenement. The easement is located on the 'handle' of the rear lot and is currently utilised by the lot fronting Takalvan Street (123 Takalvan Street) for access and manoeuvring. A concrete footpath for pedestrian access currently exists for the rear lot (58 Johnston Street) in the easement area also. The proposed design provides for the access only and no parking over the easement area in accordance with the easement terms.

The site is situated on Takalvan Street within the Major Activity Centre, the main business centre for Western Bundaberg. The site is immediately adjoined by commercial uses to the east (Stockland Shopping centre) and west and a retirement village to the north. Large floor plate, bulky goods and warehouse style commercial tenancies with high capacity car parks oriented to the frontages characterise the area of Takalvan Street. Low to medium density residential neighbourhoods exists around this commercial strip to the north-west and the east. Green open space is located to the north. Industrial uses become the predominate use moving south east.

2. ASSESSMENT PROVISIONS

2.1. Assessment Benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Zone Code: Specialised Centre Zone and Medium Density Residential Zone	Bundaberg Regional Council Planning Scheme 2015

Benchmarks applying for the development	Benchmark reference
Overlay Code <ul style="list-style-type: none"> • Airport and aviation facilities overlay code • Infrastructure overlay code 	Bundaberg Regional Council Planning Scheme 2015
Use Code <ul style="list-style-type: none"> • Business uses code 	Bundaberg Regional Council Planning Scheme 2015
Other Development Code <ul style="list-style-type: none"> • Advertising devices code • Landscaping code • Nuisance code • Transport and parking code • Works, services and infrastructure code 	Bundaberg Regional Council Planning Scheme 2015
Planning Scheme Policy/ies <ul style="list-style-type: none"> • Planning scheme policy for development works • Planning scheme policy for waste management • Interim Development Assessment Requirements 	Bundaberg Regional Council Planning Scheme 2015 State Planning Policy

2.2. Relevant Matters

The following matters were given regard to or assessment carried out against, in undertaking the assessment of this development application.

Other relevant matters to the assessment of the development under section 45(5)(b)

History of similar development applications in the immediate locality and previous development approval granted for the same development.

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

Specialised centre zone Code

The purpose of the Specialised centre zone code is to provide for large floor plate retail business activities and other activities which because of their size, requirement for high levels of accessibility to private motor vehicle traffic, or other characteristics, are best located outside of identified activity centres and adjacent to major road transport corridors.

An assessment of the proposal against the applicable Acceptable Outcomes and Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with most of the requirements of the Code. It is noted that although considered generally consistent with the purpose of the code, the proposed development does conflict with a part of assessment criteria, which is addressed in following sections of this report.

Land use composition and activity centre network

The proposed development provides for the appropriate type of retail activities, including a large plate supermarket which will service the sub-regional needs of a residential area within Bundaberg. It is noted that given the nature of shipping stock from other regions, Aldi Supermarkets prefer to be located and accessible to major roads in accordance with Performance outcome 1 (PO1).

Further, the Bundaberg Regional activity centre network is included within the Strategic Framework (s.3.4.2.1) of the Planning Scheme. The proposed development is located in the 'Major Activity centre' within this framework, categorised as 'Sugarland Shopping centre and environs'. As the subject land directly adjoins the Stockland (formerly Sugarland) shopping centre, it can logically be considered an 'environ' of the centre. The description of the Major activity centre includes higher order retail significance and services the needs of a sub-regional population, including land expansive activities that are not appropriate to locate within the principal activity centre. A wide mix of higher order retail, commercial, recreational facilities and service uses can be expected within this type of centre and the proposed development will add to this envisaged mix of uses. It is considered that the proposed development can appropriately fit within this defined type of centre, providing a land-expansive activity to service a sub-regional catchment (given its relocation from its existing location). In this instance, PO2 is not applicable given that retail is the prominent type of development being applied and addressed in PO1.

Related to the above discussion on activity centres is PO3 within the Specialised centre zone code, which requires that development within this zone does not provide for higher order and other retail facilities better suited to establishing within an activity centre, including supermarkets *et al*/to be established in this zone. It is recognised that a conflict exists with this provision, whereby a supermarket is proposed. In this regard, the centres network which is referenced is contained in section 3.4.2.1 of the Strategic Framework (and corresponding maps SFM-001 and SFM-002) and the proposed development site locates sensibly within a specified activity centre as noted. When further exploring the specific outcomes section within the Strategic framework for this Settlement pattern theme element, section 3.3.7 Element 6 – Activity centre network, it is considered that the development complies with the applicable requirements (items (a) – (c)).

The characterising of the centre is consistent with the mapping (section 3.3.7.1.(a) and in relation to section 3.3.7.1.(b), the proposed ALDI supermarket is a logical extension to the land uses already occurring as part of the Stockland Shopping Centre. As is discussed in the introduction of this report, ALDI is a business which provides convenience to the market by providing a limited range of items to complement the local business rather than compete with them. In addition, the proposed new store

should be considered in the context as relocation and extension of the existing store within the same activity centre. Furthermore, the proposal is consistent with section 3.3.7.1 (c) as it is for a medium scale commercial development within the Major Activity Centre and is not considered to be in an out of centre location.

Moreover, the relevant provisions of the Economic development theme must be considered in this instance. Section 3.4.2.1 provides broad specific outcomes that relate to the entire activity centre network. The proposal can comply with the relevant outcomes in this regard also. The proposed ALDI supermarket will provide a higher order retail land use. Surrounding land uses, with the exception of the retirement village to the rear, are also retail oriented (3.4.2.1(a)) and the proposed ALDI supermarket will provide additional employment opportunity and healthy market competition but will not compromise the centres hierarchy by detracting business from the Bundaberg CBD – the Principal Activity Centre (3.4.2.1(b)). With regard to overall outcome (c), as described by the applicant, the proposed development does not propose a higher order or larger scale uses than that which is already existing. In this respect, ALDI operates as a convenience store, supplying a limited range of items as opposed to providing a one stop shop, to complement small businesses and reduce pressure on larger ones rather than compete with them. In addition, the proposal is for the relocation and extension of the existing ALDI store within the same activity centre. The proposed development will contribute the pedestrian access of the centre (with a formalised and upgraded inter-block link) and provides a more activated use than the existing short term accommodation (3.4.2.1 (g) –(h)), also in accordance with PO7 of this zone code.

Building height, built and urban design

Performance Outcome 4 (PO4) requires that development has a built form that is sympathetic to the existing and intended scale and character of the streetscape and surrounding area. The corresponding Acceptable Outcome references a 2 storey and 11m maximum. The Proposed Elevations Plan DA-06 incorporates dimensions and RL's to demonstrate the proposed building height of the centre at approximately 8.5m at its maximum in accordance with the acceptable solution.

Performance Outcome 5 (PO5) of the zone code requires that the built form and urban design of development incorporates a high standard of architecture, urban design and landscaping that creates attractive and functional buildings, streets and places. Within the submitted planning report (pg. 11), the applicant describes the design as:

"a conventional block form that reflects the modern vernacular and ALDI's high quality finish and design standard. In accordance with the trademark design, the facades of the building will consist of a palette of durable and attractive textures and materials including colourbond roof sheeting, patterned tilt panel walls, paint finished fibre cement sheets and clear windows, presenting a modern commercial look. The store will address Takalvan Street through the inclusion of attractive frontage works and landscaping."

It is appreciated that the proposed built form and design is commensurate with that expected of a supermarket and that the trademark has certain stipulations and the proposed development includes a variety of materials, finishes, and scale (inclusion

of parapets) to provide an interesting and functional building. Additionally, significant assessment has been undertaken against the bulk, scale and form of the building against the Business Uses Code (in the following section of this report) and relevant conditions recommended accordingly for mitigation measures where necessary. Similarly, the impacts of the surrounding environment (PO6) are considered further in the additional code assessments of this report. The car parking areas and streetscapes are proposed to be appropriately landscaped in accordance with the landscaping plan provided and all relevant infrastructure can be accessed or provided and where relevant conditions have been recommended accordingly (PO8).

Business Uses Code

The purpose of the Business uses code is to ensure that business uses and other centre activities are developed in a manner consistent with the Bundaberg Region Activity Centre Network and are of a high quality design which reflects good centre design principles and appropriately responds to local character, environment and amenity considerations. This is achieved through a number of overall outcomes which require business uses to be consistent with and reinforce the Bundaberg Region Activity Centre Network, incorporates building and landscape design that responds to the character of the particular local area, be integrated into its surrounds and reflects high quality town centre design, streetscape and landscaping principles and avoids or mitigates adverse impacts upon the amenity, privacy or environmental quality of nearby residential uses.

An assessment of the proposal against the applicable Acceptable Outcomes and Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the Code. Accordingly, it is considered the proposal is consistent with the purpose of the Code and therefore complies with this element of the assessment criteria.

Role and function of centre

In accordance with Performance Outcome 1 (PO1), the proposed shopping centre is of a type, scale and intensity as identified in the Bundaberg Region Activity Centre Network in section 3.4.2.1 of the Strategic framework), specifically named within the Major Activity Centre and encompassing appropriate use types and scale. As previously mentioned, the land directly adjoins the Stockland (formerly Sugarland) shopping centre, can logically be considered an' environ' of the centre. The centre is of higher order retail significance and services the needs of a sub-regional population, including land expansive activities that are not appropriate to locate within the principal activity centre. A wide mix of higher order retail, commercial, recreational facilities and service uses can be expected within this type of centre and the proposed development will add to this envisaged mix of uses. As previously discussed, this type of use is appropriate for the identified centre and can meet the relevant outcomes for the role and function of the centre.

Relationship of building to streetscape and public realm

The proposed shop is set back in excess of 6m from the Takalvan Street frontage. The proposed building however, is not located within a main street therefore, the

associated Acceptable outcome (A)2.2 is not applicable. Therefore, when considering Performance Outcome (PO2), the proposal is considered appropriate as the building orientation, design and layout in the streetscape is consistent with the intended character for area. The front building line is consistent with the intended built form of the centre and zone and the adjoining existing bulky goods development (Harvey Norman). Moreover, the positioning of the building and associated car park on a major road (Takalvan Street) clearly defines the use within the locality and broader centre and creates an appropriate streetscape when supplementing the adjoining (and adjacent) existing Shopping centre, food and drink outlets and bulky goods buildings. The orientation of the proposed ALDI Store towards the car parking provides casual surveillance while also addressing and activating Takalvan Street through the predominately clear glass building façade.

Moreover, when considering Performance Outcome 3 (PO3), the service areas are located to the rear of the building (screened from the roadways) and the driveway to this area is located to the side of the building (edge of the subject site) and do not dominate the streetscape. Complying with the requirement through the recommended condition, the car parking will not dominate the main frontage of Takalvan Street through the provision of landscaping. Given the type of use (supermarket with bulk goods considerations) applied for, it is considered commensurate for part of the car parking to be located on ground in front of building. In addition, in accordance with the outcomes for PO5, the proposed use (shop) is listed an activity likely to foster casual, social and business interaction.

Building mass, composition, features and articulation

The business use is proposed to be accommodated within a supermarket. The proposed use is consistent with the intended character and amenity of the Major activity centre. In accordance with Performance Outcome 6 (PO6), the built form proposed maintains some area free of building at ground level presenting to the street and linking with pathways to facilitate pedestrian movement to other uses in the area and broader centre.

The corresponding Acceptable outcomes in this instance also refer to the site cover, height, setbacks and horizontal facades of the building. The proposed building will meet the requirements for setbacks, site cover and building height, however does not provide the full 3m in rear setback from an adjoining residential uses (AO6.3). Subsequently, it is noted that PO6 was considered in this regard. The use is considered to be in a building that is appropriate for the use, but also complements the existing character and amenity of the area by providing some area free of buildings on ground level, facilitates movement of pedestrian (both within this site and to other sites in the area, including the site to the rear which is the affected neighbouring lot), along with ensuring a low built form (single storey) and appropriate scale and bulk to the extend practical for a supermarket. A solid screen fence is also recommended as a condition relating to separate provisions that will assist in this matter.

Specifically relating to building features and articulation, the proposed development complies with Acceptable outcomes in relation to the provision of pedestrian awnings, recesses in the building, textural and material variation (including colour variations) and appropriately placed windows to also consider the direct sunlight. However, it is

noted that in relation to finishes on the elevation that will present to the Takalvan Street frontage, parapets, roof lines and building shape have continuity with the adjoining areas, however the building and specifically the frontage, do have unbroken length in excess of 15m and a relatively blank south-eastern elevation. Subsequently, improvements are necessary to the elevation which presents as part of the building frontage, such as using decorative screens, building variation, glazing, trellises or graphic panels and the like. A condition is recommended which requires the applicant to submit to and gain approval from Council for a revised south -eastern elevation of the building incorporating materials, colours or façade treatments that will enhance the Takalavan Street frontage.

In addition to the proposed building being in keeping with the intent for this locality within the Concept plan for the activity centre, the use of landscaping, buffers, and building orientation are considered to address the requirement to respond to the amenity of the neighbouring premises. Also, amenity considerations are further discussed in this code assessment in relation to other provisions.

Transport and Parking Code

The purpose of the Transport and parking code is to ensure that transport infrastructure (including pathways, public transport infrastructure, roads, parking and service areas) is provided in a manner which meets the needs of the development, whilst maintaining a safe and efficient road network, promoting active and public transport use and preserving the character and amenity of the Bundaberg Region.

An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the Code. Accordingly, it is considered the proposal is consistent with the purpose of the Code and therefore complies with this element of the assessment criteria.

Car parking

When specifically considering car parking, the Transport and Parking Code requirement for car parking for a defined Shop use is based on a rate of 20 spaces per m² of GFA. Using this requirement and a Building net area (taking into account the removal of amenities and the like), the required number of car parks is 84. It is considered that the provision of 105 car spaces is ample and such numbers will ensure that sufficient car parking spaces are provided for the number of vehicles likely to be associated with the development.

Pedestrian and bicycle access

Pedestrian and bicycle access is to be provided to the site via an existing footpath network from the frontage with Taklavan Street (and more broadly the adjoining shopping centre and food outlet uses), in addition to the newly established formal pedestrian access from the rear of the site (from the north-west). Accordingly, a condition is recommended to ensure these links are retained and constructed appropriately.

Works, Services and Infrastructure Code

The purpose of the Works, services and infrastructure code is to ensure that development works and the provision of infrastructure and services meets the needs of the development, and is undertaken in a professional and sustainable manner.

An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the Code. Accordingly, it is considered the proposal is consistent with the purpose of the Code and therefore complies with this element of the assessment criteria.

In relation to provision of infrastructure, the proposed development can comply with the Acceptable outcomes of the code, by providing appropriate connection points to the existing reticulated sewerage and water supply system. Also electricity and telecommunications and the like are available presently. PO4 of the code requires that network capacity must be considered in relation to the current and future needs of the development. It is considered that given a reduction on demand from the current use, compliance with this requirement can be achieved, however a standard condition has been recommended accordingly. Specifically relating to stormwater, the proposed detention basin ensures that the flows do not exceed pre-development flows. A detailed Stormwater management plan was submitted by the applicant and construction and maintenance in accordance with this has also been recommended as a condition. It is also noted that conditions received from the Concurrence agency in this instance relate to stormwater impacts on the adjacent State-controlled road.

Landscaping Code

The purpose of the Landscaping code is to ensure that landscaping is provided in a manner which is consistent with the desired character and amenity of the Bundaberg Region. Overall outcomes which will achieve this purpose are based upon landscaping that complements and integrates built environment and form, adds to the desired character, minimises energy and water consumption, encourages local plant species and is functional, durable, practical and considers personal safety.

An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the Code. Accordingly, it is considered the proposal is consistent with the purpose of the Code and therefore complies with this element of the assessment criteria.

Issues arising from assessment against the code are detailed below. A landscape concept plan has been submitted in support of the development application, communicating the design intent to ensure the creation of attractive streetscape and a shaded and softened car parking area through the following:

- *Plants have been selected to give a strong corporate identity to Aldi stores, with each species serving a specific function.*
- *The street frontage perimeters are to be mass planted to provide a barrier to undesired pedestrian entry points, with pedestrian and vehicular entries highlighted with key feature plants and signage.*

- *Carparks are to be planted with medium sized evergreen tree species that will provide shade and mark pedestrian pathways through the carpark. Cupaniopsis Anacardiooides are to be used as an evergreen feature tree in the car park, providing year round shade.*
- *Shrubs are to be used in mass plantings. Syzygium Paniculata Minor (Elite) an evergreen medium shrub is to be used for additional screening. They are a common lillypilly that is resistant to pimple psylid.*
- *Generally the use of ground covers shall be restricted to Liriope Evergreen Giant. Its predominate use is preferred due to its robustness and having low maintenance requirements. Liriope Evergreen Giant is a small turfing species with a purple flower generally to be used as an undercover planting to the Cupaniopsis. Callistemon 'Little John', is a compact species with dark green foliage and red flowers for visual relief.*

This intent is generally in keeping with the requirements of the Landscaping Code, with a number of other considerations during assessment. The Landscape Concept Plans lodged for the development application demonstrates edge landscaping to delineate public areas, including car parking and footpath and landscaping and associated fencing. Shrubs and groundcovers to the frontage of the site also allow for passive surveillance whilst delineating intended restricted access and screening the visual impact of the building. The structured landscape planting and selection and placement described above, demonstrate the treatments and concepts can easily integrate into the existing landscape. Overall it is considered that the intent of landscaping plan generally meets the requirements for a development of this nature.

Interface with residential uses

Reference is made in Acceptable Outcome 1.4 (AO1.4) to screening car park areas from adjacent residential areas. The immediately adjacent residential uses are to the rear of the site, however any views will be significantly reduced by the proposed solid screen fencing and as such any provided landscaping is likely to have very little effect. Nonetheless, spaced plantings are shown adjacent the washed gravel to the rear of the building in this vicinity.

Nuisance Code

The purpose of the Nuisance Code is to maintain community wellbeing and protect environmental values by preventing or mitigating nuisance emissions from development adversely impacting on surrounding sensitive land use and the exposure of proposed sensitive land uses to nuisance emissions from surrounding development.

An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the Code. Accordingly, it is considered the proposal is consistent with the purpose of the Code and therefore complies with this element of the assessment criteria.

Noise impact

It is recognised that the proposed use is a commercial use in a commercial locality and major activity centre, however a high level of amenity and safety must continue to be provided for the existing residents. The development application material includes a Noise Impact Assessment which in demonstrating compliance with the relevant performance outcomes, makes a number of recommendations in terms of management of the potential noise impacts, including a noise attenuation fence in the loading dock and along the rear boundary fence (interface with residential use) and the housing mechanical plant. Accordingly, an assessment of the report was undertaken by the Assessment manager against the relevant provisions of the Nuisance Code of the Planning scheme. Discussion with an independent consultant was also undertaken and recommended conditions include the conclusion of assessment report (containing recommendations) for the ongoing management of the amenity within the area.

Advertising Devices Code

The proposed advertising signs (freestanding sign - pylon) is categorised as assessable Operational Work for the purpose of development assessment as it cannot meet the Self-Assessable criteria due to quantity of the signs on the site. Accordingly, the Advertising Devices Code of the Planning Scheme is the primary assessment instrument for this component of this application.

The purpose of the Advertising Devices Code is to ensure that advertising devices are established in a manner which is consistent with the desired character and amenity of the Bundaberg region. The outcome is to be achieved in a number of ways (included as overall outcomes in section 9.4.1.2 (2)(a) – (2)(f) of the planning scheme), the most applicable of which in this instance are that the sign does not detract from the natural and built environment (2)(a), the sign is designed and integrated into the built form so as to minimise visual clutter (2)(b), the sign does not pose a hazard for pedestrians, cyclists or drivers of motor vehicles (2)(e) and the device accommodates the legitimate need to provide directions and business identification in a manner consistent with all overall outcomes (2)(f). The stipulated maximum allowable face area for signage within the proposed development site (measured by frontage length) is not exceeded by total face area of the signs proposed. The environment in which the sign will be located is appropriate, with a speed limit of 70kph, well-lit, a straight stretch of road, with two lanes of traffic separated by a median and a signalised intersection. The sign is considered easily recognisable for the intended shopping centre use and is not proposed to include distracting branding. The second sign to be incorporated is placed well within the development site, relatively small in size, commensurate with an Aldi Supermarket and fit for purpose.

An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the Code. Accordingly, it is considered the proposal is consistent with the purpose of the Code and therefore complies with this element of the assessment criteria.

General requirements – scale, bulk and form

When considering Performance Outcome 1 (PO1) and PO2, the proposed advertising device complies. The sign is compatible with the intended character for the Major Activity Centre in which it is located and the proposed scale, proportion and bulk are consistent with the proposed centre building. The device is sited to not visually dominant in the landscape and views of public value will not be impacted as the sign is placed on the vehicle entry point and the second within the site (near the entrance to the building). The sign is not likely to impact upon the enjoyment of the site as it commensurate to what would be expected in a supermarket context. No Council street improvements are in place to be impacted upon and the design of the device does not cause visual clutter as the second sign (only trigger for assessment) as mentioned, is placed well removed from the public road/ footpath and small in scale.

Additional requirements

In terms of the remaining the Performance Outcomes, the advertising device is not proposed to include movement or flashing lights and conditions have been recommended to ensure this remains. Relevant conditions have also been recommended in terms of safe construction and electrical systems and that any illumination is in accordance with the relevant standard to control obtrusive effects of outdoor lighting, including a luminance requirement and restriction of illumination times of an evening.

Infrastructure Overlay Code

The purpose of the Infrastructure overlay code is to ensure that development is compatible with, and does not adversely affect the viability, integrity, operation and maintenance of, the following existing and planned infrastructure and facilities within the region, namely gas pipelines, major electricity infrastructure, wastewater treatment plants and waste management facilities.

An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the Code. Accordingly, it is considered the proposal is consistent with the purpose of the Code and therefore complies with this element of the assessment criteria. The provisions which are worthy of noting are the compliance with requirements in relation to state controlled road infrastructure. No sensitive land uses are proposed. Moreover, the safety, efficiency and effectiveness of the corridor stage controlled corridors was adequately addressed in the concurrence agency response for the application.

Airport and Aviation Facilities Overlay Code

The purpose of the Airport and Aviation Facilities Overlay Code is to protect and maintain the operational efficiency and safety of the Bundaberg Airport and aviation facilities and avoid land use conflicts.

The proposed development is located within the operational airspace of the airport and within the 3km wildlife hazard buffer zone. As the use is not for the specified uses for assessment within the 3km wildlife hazard buffer zone included within Table 5.10.1 and the proposed building does not protrude into the operational airspace or create hazardous emissions, the only item to be considered for assessment under this Code is in relation to the potential disposal of putrescible waste within a wildlife hazard zone. This issue can be adequately dealt with through standard waste management conditioning.

Compliance with Benchmarks

Benchmark reference	Reasons for the approval despite non-compliance with benchmark
PO3 of the Specialised Centre Zone code, which states that supermarkets should not be established in this zone	<p>It is considered that the land forms part of the Major Activity Centre based around the Sugarland Shopping Centre due to the following factors:</p> <ul style="list-style-type: none"> • The site is within the Major Activity Centre on Strategic Framework Maps SFM-001 (Settlement Patterns) and SFM-002 (Economic Development Elements); • The centres network contained in section 3.4.2.1 of the Strategic Framework states that the Major Activity Centre includes the Sugarland Shopping Centre and environs. As the land directly adjoins the Stockland (formerly Sugarland) shopping centre, it can logically be considered an environ of the centre. • The Coles approved on the opposite side of Takalvan Street provides a precedent for shopping centres being approved in the Specialised Centre.

Public Notification

There were no submissions received for the application.

4. REFERRALS

4.1 Internal Referrals

Advice was received from the following internal departments:

Internal department	Referral Comments Received
Development Assessment - Engineering	8 February 2018
Water and Wastewater	7 November 2017
Environmental Health	28 November 2017

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agency

Referral Agency responses were received from the following State agencies:

Agency	Concurrence/Advice	Date Received	Conditions Yes/No
Department of Infrastructure, Local Government and Planning	Concurrence	9 December 2017	Yes

Any significant issues raised have been included in section 3 of this report.

5. PUBLIC NOTIFICATION

Pursuant to the *Planning Act 2016*, this application was advertised for 15 business days from 11 December 2017 until 18 January 2018. The Applicant submitted documentation on 19 January 2018 advising that public notification had been carried out in accordance with the *Planning Act 2016*. Council received no submissions in relation to this development application during this period. Any significant issues raised have been included in section 3 of this report.

6. DRAFT CONDITIONS

Draft conditions were issued to the Applicant on 9 February 2018.

The Applicant submitted representations to Council on 13 February 2018 relating to the following draft conditions:

- Condition 6 (Building Design)
- Condition 8 (Car Parking and access)
- Condition 15 (Electricity, Street lighting and Telecommunications)
- Condition 29 (Noise Attenuation)
- Condition 34 (Public Safety)
- Operational Works - Condition 2 (Advertising Devices)

After a review of the submitted representations, the following conditions have been amended:

- Condition 6 (Building Design) – amended
- Condition 8 (Car Parking and access) - amended

- Condition 29 (Noise Attenuation) – amended
- Condition 34 (Public Safety) – amended

The following conditions have remain unchanged:

- Operational Works - Condition 2 (Advertising Devices)
- Condition 15 (Electricity, Street lighting and Telecommunications)

7. REASONS FOR DECISION

The reasons for this decision are:

- The development is located within the Major Activity Centre in section 3.4.2.1 of the Strategic Framework and is consistent with the intent for this centre, providing an appropriate retail use in the environ of the Bundaberg Stockland Shopping Centre (formerly Sugarland Shopping Centre).
- The development complies with the requirements, or can be conditioned to comply with, the relevant applicable assessment benchmarks.
- The proposed development also achieves compliance with the applicable secondary planning scheme codes. Suitable alternative solutions (in accordance with the Performance Outcomes) have been adopted in relation to any identified noncompliance.
- The proposal represents the relocation and extension of the existing ALDI Store within the same Major Activity Centre and does not represent a new out of centre development.

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 Response
- [↓ 5](#) AICN
- [↓ 6](#) Applicant's Draft Conditions Representations

Recommendation:

That the Development Application 525.2017.2.1 detailed below be decided as follows:

1. Location details

Street address: 58 Johnston Street and 123 Takalvan Street, AVOCA

Real property description: Lot 22 on SP166702, Lot 1 on RP175009

Local government area: Bundaberg Regional Council

2. Details of the proposed development

Development Permit for Material Change of Use (Shop – Supermarket) and Operational Works (Advertising Device – Pylon Sign)

3. Decision

Decision details:

Approved in full with conditions. These conditions are set out in Schedule 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material Change of Use				
Existing/ Demolition Site Plan	PA Architects	30.10.2017	DA-01	B
Proposed Site Plan	PA Architects	30.10.2017	DA-02	D
Site Pack Plan Proposed Floor Plan	PA Architects	30.10.2017	DA-04	B
Proposed Elevations	PA Architects	30.10.2017	DA-06	B
Proposed Sections	PA Architects	30.10.2017	DA-07	B
Proposed Roof Plan	PA Architects	30.10.2017	DA-05	B
ALDI Takalvan Street, Avoca -	Wilkinson Murray Pty Ltd - Acoustics and Air	October 2017	Report no: 00768-A	B
DA Noise Assessment				

Aspect of development: Operational Works

Proposed Signage Plan PA Architects 30.10.2017 DA-03
(As Amended)

B

5. Conditions

This approval is subject to the conditions in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

6. Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work
- All Plumbing and Drainage Work
- All Operational Work

7. Properly made submissions

There were no properly made submissions for this application.

8. Referral agencies for the application

The referral agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
<p>State-controlled road Schedule 10, Subdivision 2, Table 4, Item 1: <i>Development application for a material change of use, that is assessable development under a local categorising instrument, if all or part of the premises –</i></p> <p>(a) are within 25m of a State transport corridor (b) ... (c) ...</p>	Department of Infrastructure, Local Government and Planning	Concurrence Agency	<p>State Assessment and Referral Agency (SARA) E: WBBSARA@dsdip.qld.gov.au P: PO Box 979 Bundaberg Qld 4670</p>

9. Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

10. Agreements under Section 49(4)(b) or 66(2)(b) or (c) of the Planning Act 2016

There are no agreements about these matters.

11. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see Schedule 1 of the *Planning Act 2016*.

Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*.

Schedule 2 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER

PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

ALL DEVELOPMENT

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 commencement of the use, unless otherwise stated within this notice, and maintain compliance whilst the use continues.

MATERIAL CHANGE OF USE

Air Conditioners

4. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the adjoining street frontages or adjoining properties.
5. Air conditioning units must be designed, installed, maintained and operated so that noise emissions are within the limits imposed by the *Environmental Protection Act*, Regulations and Policies.

Building Design

6. Prior to approval of building works for the development, submit to and gain approval from Council for a revised south- eastern elevation of the building

incorporating materials or façade treatments that will enhance the Takalvan Street frontage.

Note: Compliance with this condition may include the provision of decorative screens, trellises, artwork, patterns and inclusion of glazing or material variation.

7. Ensure that all materials and finishes selected are easily maintained and do not readily stain, discolour or deteriorate.

Car Parking and access

8. Provide off-street car parking and vehicle manoeuvring areas with a minimum of 105 parking spaces and 2 dedicated loading bays, including the area shown for the compactor. Such car parking, access and manoeuvring areas must be generally in accordance with the Approved Plans and be:-
 - a. constructed and sealed with bitumen, asphalt, concrete or approved pavers;
 - b. line-marked into parking bays;
 - c. designed to include a manoeuvring areas to allow all vehicles to leave the site in a forward gear;
 - d. designed to include the provision of fill and/or boundary retaining walls to allow for the containment and management of site stormwater drainage as required;
 - e. sign posted to indicate entry/exit points, in addition to line marking, to indicate the traffic flow through the site;
 - f. drained to the relevant site discharge point;
 - g. be available free-of-charge to staff and customers during operating hours; and
 - h. designed in accordance with AS/NZS2890.1-2004: ‘Parking Facilities Part 1: Off-street Car Parking’.
9. Submit a completed copy of Council’s ‘Application to carry out works in, on, over or under Council owned and maintained property’ form prior to works on the access being undertaken.
10. Driveways must comply with the standards specified in the *planning scheme policy for development works – driveways and access to developments*.

Construction Management

11. Unless otherwise approved in writing by the Assessment Manager, do not undertake building work in a way that makes audible noise:

- a. On a business day or Saturday, before 6.30 am or after 6.30 pm;
or
 - b. On any other day, at any time.
12. Contain all litter, building waste and sediments on the building site by the use of a skip/s and any other reasonable means during construction to prevent release to neighbouring properties or roads.
 13. Remove any spills of soil or other material from the road or gutter upon completion of each day's work, during construction. These material spills and accumulated sediment deposits must be managed in a way that minimises environmental harm and/or damage to public and private property.

Electricity, Street lighting and Telecommunications

14. Enter into an agreement with an approved electricity provider, to ensure that underground electricity will be available to the development site.
15. 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.

End of Trip Facilities – Cycle Parking

16. Install and maintain two (2) secure bicycle parking spaces for employees and six (6) secure bicycle parking spaces for customers. Customer cycle parking must be located in a visible area close the entrance of each building.
17. Provide one (1) locker for every two (2) staff cycle parking spaces.
18. Provide informational and directional signage where necessary to direct cyclists to bicycle parking spaces and advise the public of their presence.

External Storage of Materials

19. Ensure goods, equipment, packaging material or machinery is not stored or left exposed outside the building so as to be visible from any public road or thoroughfare. Any storage on site is required to be screened from view from all roads and adjacent properties and must be above levels of inundation from both flood and localised events.

Fences

20. Where there is not an acoustic fence proposed to be provided, provide a 1.8 metre high solid no-gap screen fence to the side and rear boundaries (where an acoustic fence is not provided) of Lot 1 RP175009, excluding the internal boundary with Easement A on SP166702, commencing from the road frontage of the subject property. The erection of a second boundary line fence parallel to any existing boundary fence is prohibited.

Hours of Operation

21. Unless otherwise approved in writing by the Assessment Manager, the hours of the approved use are limited to:

- a. Monday to Friday – 6am to 10pm;
- b. Saturday, Sunday and public holidays - 8am to 6pm;

Note: Deliveries may be undertaken outside of these hours where in accordance with normal store practice.

Landscaping

22. Undertake landscaping in accordance with the approved landscape plan, modified as follows:

- a. Contours or spot levels if appropriate;
- b. Fence size and materials;
- c. Inclusion of a controlled underground or drip irrigation system. Any such system is to be fitted with an approved backflow water prevention device;
- d. Location of any drainage, sewerage and other underground services and any overhead power lines;
- e. Property boundary garden/landscape bed edge walls must be provided with sleeper or equivalent retaining walls to contain the garden material within the site. Such walls must be constructed to a height that is at or above the adjacent sealed car parking areas;
- f. Measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;
- g. Ensure species selection utilises those indigenous to the area (the Plant Species List contained within Council's Landscaping Planning Scheme Policy is a guide to species selection). No exotic plants are to be specified.

23. Provide certification from a Landscape Architect or other suitably qualified person that the landscaping has been constructed and established in accordance with the conditions of this and any other relevant approval issued by the Assessment Manager. Council does not require the submission of an operational works development application for the landscaping where the works are certified by a Landscape Architect or other suitably qualified person.

24. Complete landscaping shown on the endorsed plans prior to the commencement of the use and maintain all landscape works in accordance with the Approved Plan whilst the use continues.

Lighting

25. External lighting used to illuminate the premises must be designed and provided in accordance with Australian Standard AS 4282-1997: *Control*

of the obtrusive effects of outdoor lighting so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.

26. Lighting must comply with the guidelines in 'Lighting in the Vicinity of Airports- Advice to Designers (Civil and Aviation Safety Authority)'.
27. All external lighting, other than security lighting, must be switched off for the evening within one hour after close of trade.

Loading/Unloading

28. Loading and unloading of all vehicles associated with the use must occur on the subject site. Loading and unloading is not to occur in the areas specified for taxis and set-downs.

Noise Attenuation

29. All works must be carried out in accordance with section 6 'Conclusion' of the 'DA Noise Assessment' (report no: 00768-A Version B) by Wilkinson Murray (Acoustics and Air) listed within this Decision Notice, (including 3.0m barrier on the west, housed mechanical plant and 1.8m barrier on the rear boundary), with the exception of the following:
 - a. Modification of the minimum surface density for the recommended acoustic barrier is to be increased to a minimum of 12kg/m²; and
 - b. Modification of the acoustic barrier along the rear boundary (common boundary with the retirement village on Lot 22 on SP166702) shown on the reference 'Notes: 1' on Figure 5-1 of the report, to include a return on the western end.
 - c. Suggested complaint management process to be implemented in the event of a validated noise complaint or demonstrated non-compliance, including the option for any potential further noise controls and noise management practices to be engineered to bring the operation into compliance with relevant noise standards.

The report must be resubmitted to the Assessment Manager incorporating the above amendments prior to the issue of any Development Permit for Building Works.

30. Certification must be submitted to the Assessment Manager from a suitably qualified person which certifies that the development has been constructed in accordance with the approved (refer to condition 32) section 6 'Conclusion' of the 'DA Noise Assessment' (report no: 00768-A Version B) by Wilkinson Murray (Acoustics and Air) listed within this Decision Notice.
31. Certification must be submitted to the Assessment Manager from a suitably qualified person which certifies that an acoustic barrier has been constructed in accordance with the requirements of this Decision Notice.

Public Safety

32. During operating hours, all parking areas, pedestrian areas and entrances/exits to all stairwells, travelators, lifts, foyers and public toilets must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of Australian Standard AS1158 "Public Lighting Code". Lighting must be designed to reduce the contrast between shadows and well lit areas. In particular, appropriate security lighting must be provided in the location shown as loading bay and compactor and services areas and customer car parking area in the north-eastern corner of the lot Approved Plans, with a recessed doorway or concealment place.
33. Ensure that appropriate surveillance of the loading area is provided to ensure that it is not a vulnerable place for public safety purposes.
34. After hours access to loading docks, storage areas must be restricted by a security gate, lockable doors and/or other suitably appropriate means, such as roller shutters.

Sewerage

35. Make provision for a new sewerage connection (as required) suitable to meet the requirements of the development. All live sewer work, including the point of connection, must be undertaken by Council.
36. Existing sewer point(s) of connection are to be disconnected and sealed at Developer's expense as necessary.

Note: an application is required to be made to the Service Provider through Council Service Centre's. Water & Wastewater Operations & Reticulation section requests written confirmation lodged with application when removal or demolition of building is scheduled.

Sewer point(s) of connection disconnection to Council infrastructure will not be granted until approval is issued from Service Provider. Disconnection of sewer point of connection shall be carried out prior to removal or demolition of building. All associated fees to be paid by the Developer before approvals are issued;

Stormwater Management

37. Undertake the stormwater management on site in accordance with the approved Site Based Stormwater Management Plan prepared by ACOR Consultants dated 30 October 2017, Reference BR170304 Issue 1, including the construction of any necessary works.
38. Provide certification from a Registered Professional Engineer Queensland (RPEQ) that stormwater management has been undertaken on site in accordance with the conditions of this and any other relevant approval issued by the Assessment Manager. Council does not require the submission of an operational works development application for the stormwater management where the works are certified by a RPEQ.

Waste Management

39. Provide a sufficient area for the storage of all waste bins. This area must be sealed, screen fenced and designed so as to prevent the release of contaminants to the environment.

40. Maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause any nuisance, to the satisfaction of the Assessment Manager.
41. An impervious bin storage area (Bin Enclosure) for waste receptacles, must be provided in accordance with the following:
 - a. the bin storage area must be sufficient to accommodate all refuse containers required by the Assessment Manager for the scale of the development;
 - b. the bin storage area must be aesthetically screened from the road frontage and adjoining properties by landscaping or constructed screening;
 - c. a suitable hose cock (with backflow prevention) and hoses must be provided at the refuse container area, and wash down to be drained to sewer and fitted with an approved stormwater diversion valve arrangement.
42. The bin storage enclosure must be maintained in a clean and sanitary manner at all times.
43. Ensure that any potential food / waste sources are covered and collected so that they are not accessible to wildlife.

Water

44. The Developer is to make provision for a metered service, and internal infrastructure as required to satisfy the firefighting and water supply demands of the proposed development.
45. Any works must include all necessary upgrades of Council infrastructure to ensure that downstream properties are not adversely affected by the increased demand of the development. Works must include network modelling with main sizing to be finalised as part of an application for Operational Works.

PART 1B – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER-OPERATIONAL WORKS (ADVERTISING DEVICES)

1. This approval authorises the following signs as defined by the planning scheme and shown on the Approved Plans:
 - a. Two (2) pylon signs.
2. The approved signs must not exceed the dimensions and sign areas as shown on the Approved Plans as Sign 01 and Sign 03. Sign 02 does not form part of this approval.
3. Position the sign wholly within the property boundaries of the subject site.

4. All construction and maintenance work for the sign must be carried out completely within the property boundaries.
5. The sign must be maintained to a standard satisfactory to the Assessment Manager. Any structural damage must be made safe and repaired as soon as practical.
6. Lighting used to illuminate the approved sign must:
 - a. be designed and provided in accordance with Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic;
 - b. Be switched off between the hours of 11.00pm and 5.00am or at any time the business is not operating between these hours; except where the shopping centre is operating outside of these hours.
7. Illumination resulting from direct, reflected or other incidental light emanating from the approved signs has a maximum luminance of 350 candelas per m² when measured at any point within a residential dwelling.
8. The sign must not include any flashing or moving lights.
9. The sign must be static and contain no moving elements.
10. All conduits, wiring, switches or other electrical apparatus installed on an advertising device must be concealed from general view.
11. No electrical equipment is mounted on exposed surfaces of the advertising device.

PART 1C – ADVICE NOTES

Environmental Harm

- A. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue

disturbance or annoyance to persons or affect property not connected with the use.

Infrastructure Charges Notice

- B. Please find attached the Infrastructure Charges Notice (Ref: 331.2018.988.1) applicable to the development.

Nature and Extent of Approved Development

- C. This Decision Notice does not represent an approval to commence Building Works.

Noise Management

- D. The owner/operator is advised that noise complaints made to Council regarding the operation of the approved use will be investigated and regulated utilising the parameters of the Environmental Protection (Noise) Policy 1997 under the Environmental Protection Act 1994.

Existing Services and Structures

- E. Relevant Building Works approval is necessary for the existing short term accommodation use building (and any outbuildings) to be removed/demolished on existing Lot 1 RP175009 upon commencement of the works for the development. Any works to Council's infrastructure is to be covered by relevant permits and licensing.

Other Development Permits

- F. This Approval does not represent a development approval for Building Works under the *Building Act 1975*.
- G. This approval provides for some works to be undertaken on a self-assessable basis. Conditions specify where Council does not require the submission of an operational works application for specific works. To be clear, development permits for Operational Work for the following works are necessary to allow the development to be carried out:
 - a. Earthworks
 - b. Car parking construction

Food handling

- H. All operators of the approved use will be required to comply with the *Food Act 2006* and Council's minimum requirements for food premises. All necessary approvals should be obtained from the Environmental Health Services Section of Council prior to commencement of the approved use. For further information about these requirements please contact Council's Environmental Health Services Section on 1300 883 699.
- I. Should any of the replacement structures or equipment differ from the business's original approved plans, Council's Environmental Health Services Section must be notified to amend details concerning the license under the *Food Act 2006*. This will enable Council to maintain accurate records and ensure compliance. Copies of the original plans for the premises' food preparation areas can be obtained from Council. Plans detailing any

proposed modifications should be provided to Council prior to construction. The operator is required to provide an expected completion date for any proposed work so that a pre-opening inspection can be arranged. For further information about these requirements please contact Council's Environmental Health Services Section on 1300 883 699.

Signage

- J. With the exception of two (2) pylon signs at the entry to the development (proximate to Takalavan Street and on the building) an Operational Works permit is required to be obtained for all signs and advertising devices associated with the development that do not comply with the 'Accepted, subject to requirements' criteria of the Planning Scheme in effect at the time of the proposed works.

Water and Sewer

- K. One only point of connection will be provided and maintained by Council. This means only one connection to the water main although there may be a potable and fire service feeding from that connection.

- L. Water and sewer connections to Council infrastructure will not be granted until approval is issued from Service Provider;

An application for water connection for proposed development is to be made to the Service Provider through any one of Council Service Centre's. Water & Wastewater Operations & Reticulation Section requests the following requirements to be lodged with application:

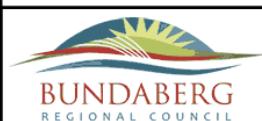
- Site plan;
- Floor plan;
- Hydraulic plans showing proposed meter locations and sizes;
- All plans are to be scaled and at minimum size of A3.

- M. The Developer should engage an appropriately qualified hydraulic consultant to assess the suitability of the water supply system to cater for the proposed development, including fire fighting requirements in accordance with AS2419.

- N. 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.

PART 2—CONCURRENCE AGENCY CONDITIONS

The Department of Infrastructure, Local Government and Planning, by letter dated 8 December 2017 (copy letter attached for information).



SITE PLAN
123 Takalvan Street, Avoca and Easement A on 58 Johnston Street, Avoca
525.2017.2.1

Projection: GDA_1994_MGA_Zone_56

Date: 13/2/2018 9:20 AM

Scale 1:900.00

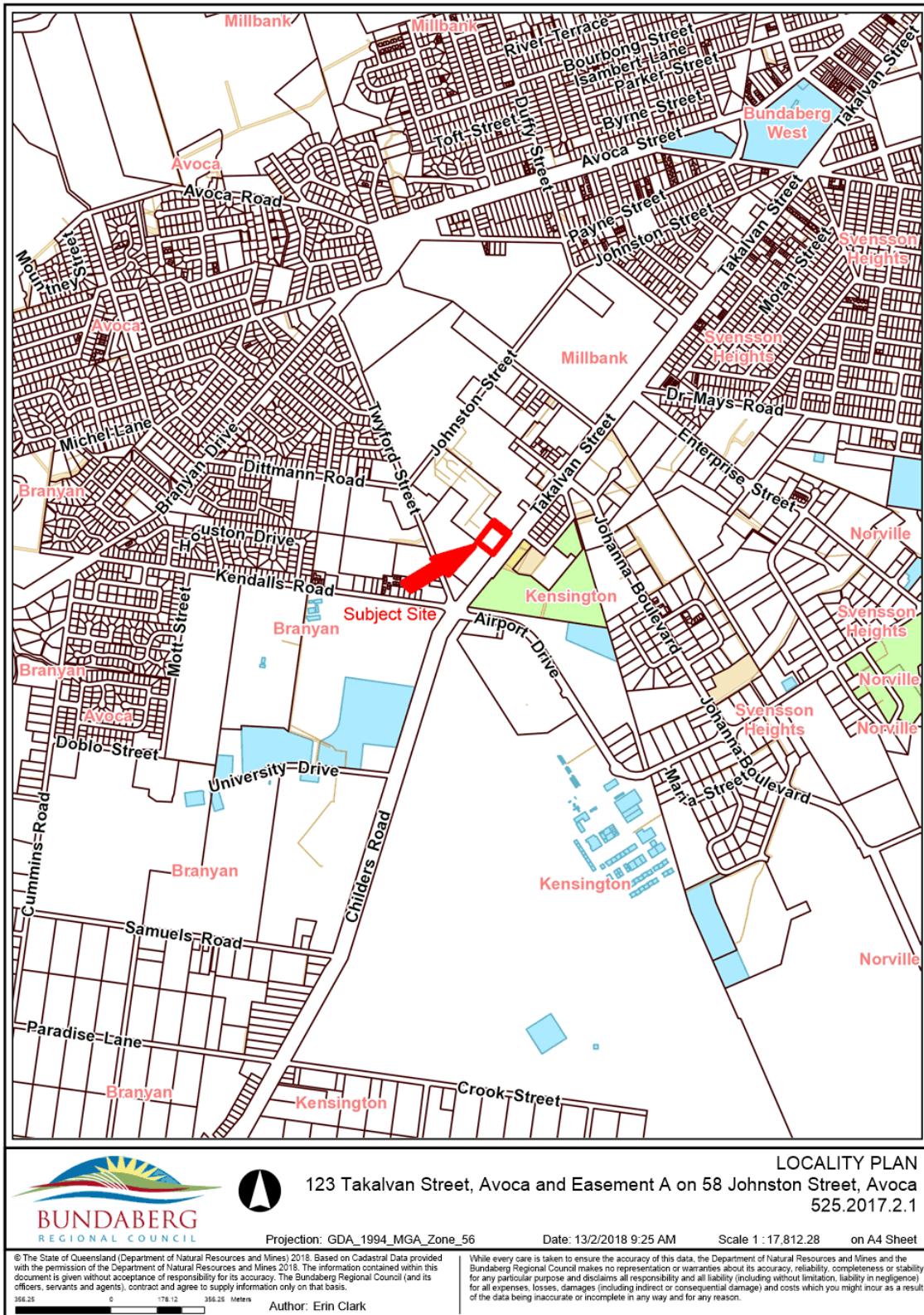
on A4 Sheet

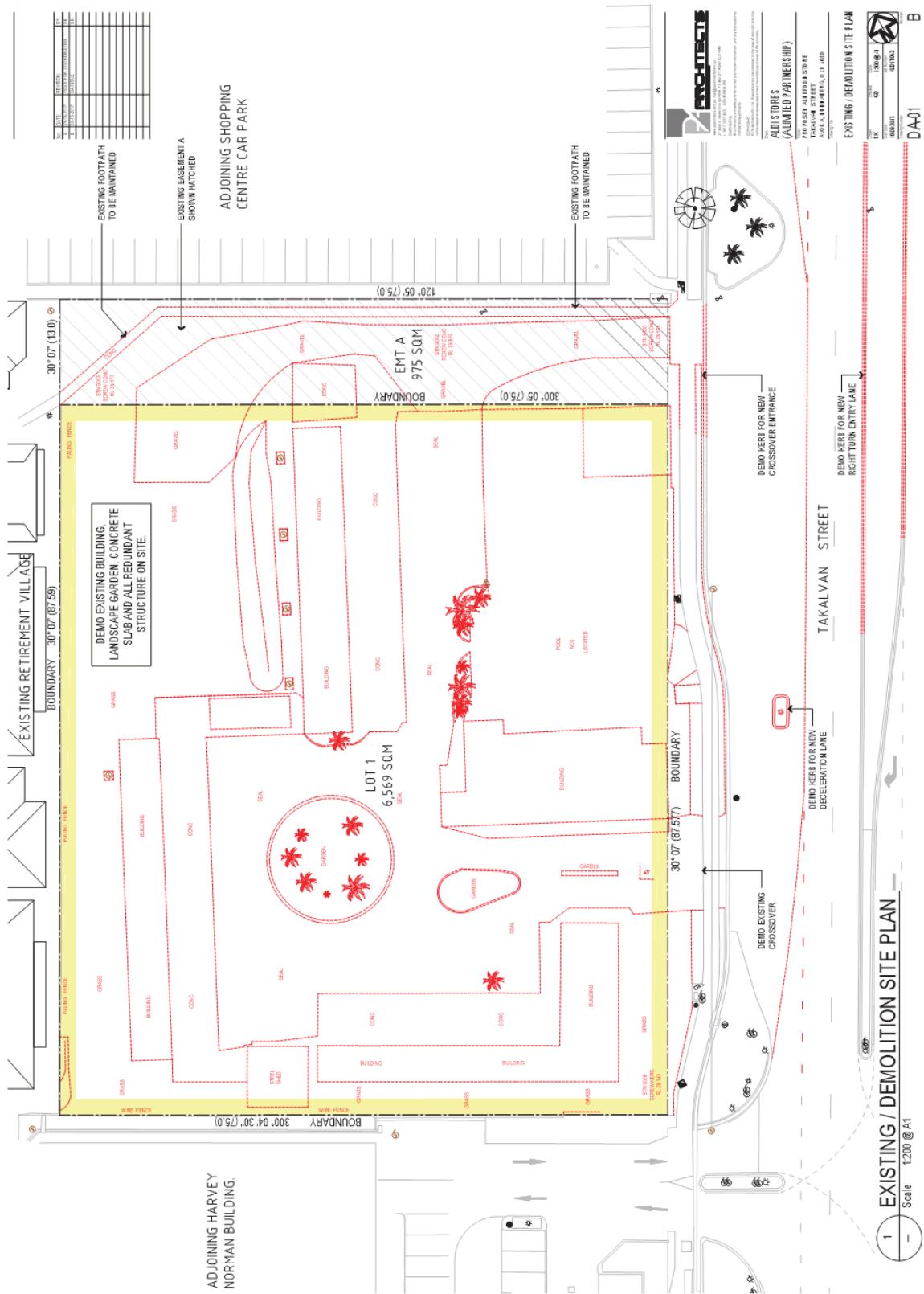
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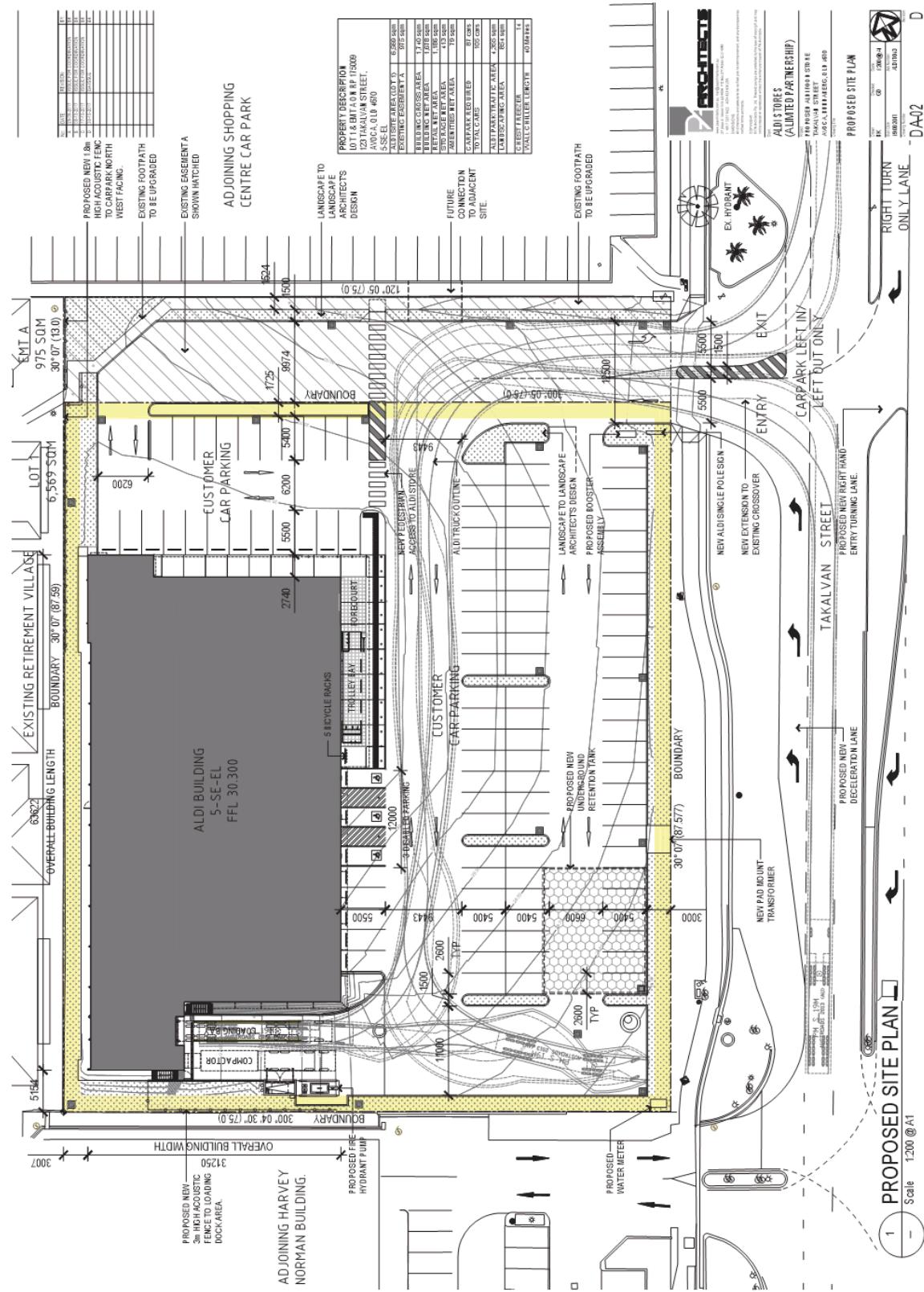
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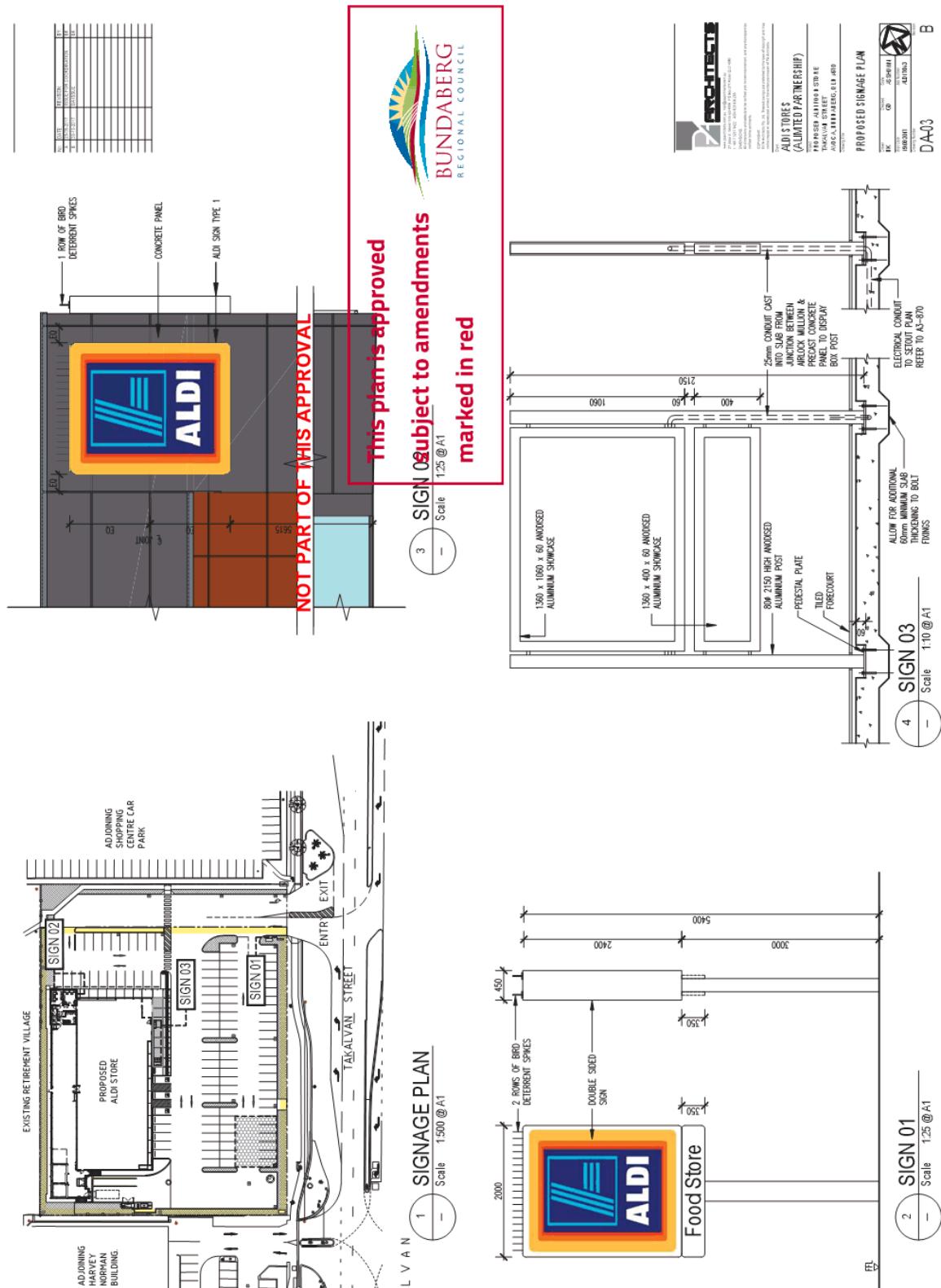
Author: Erin Clark

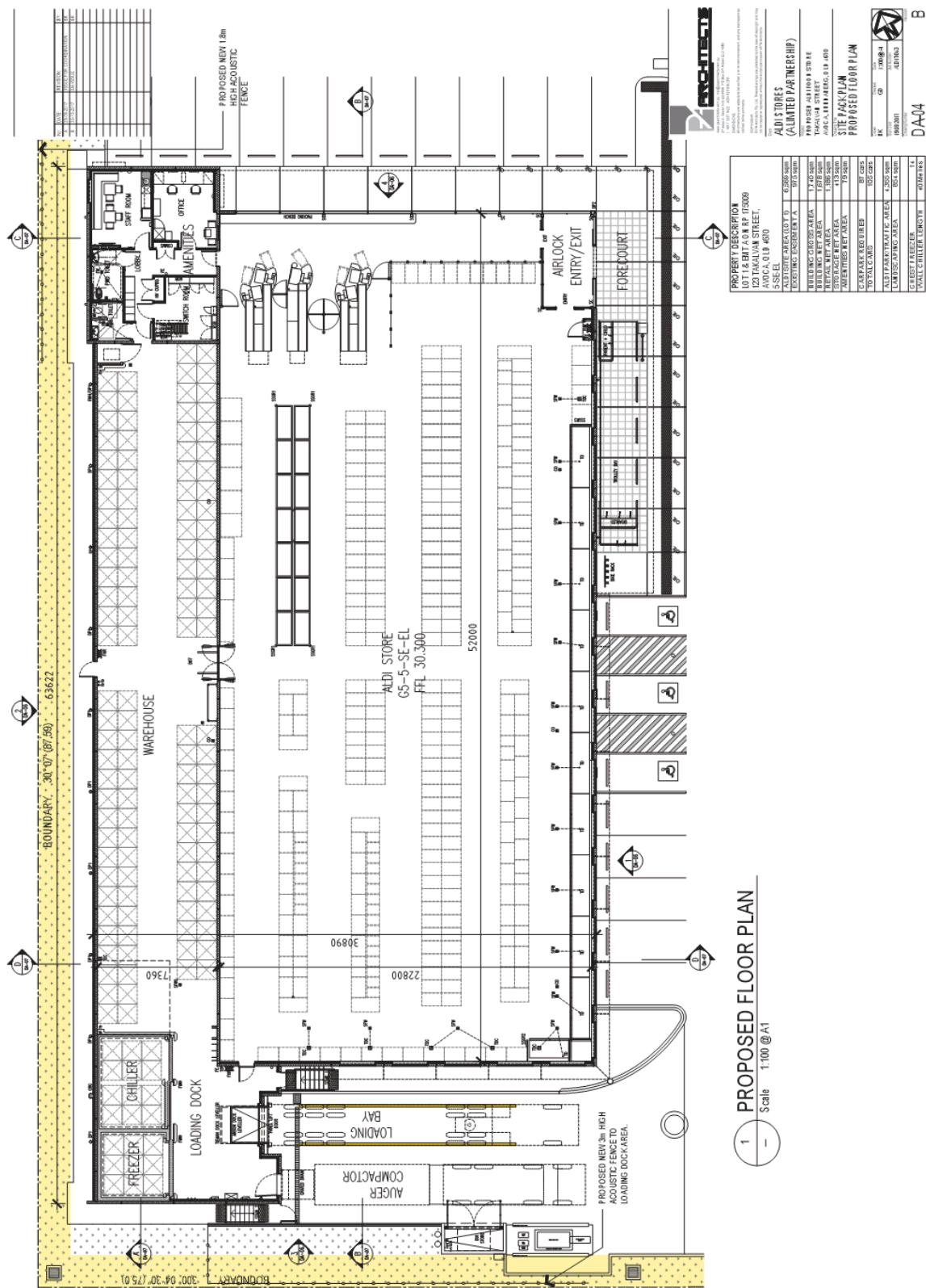
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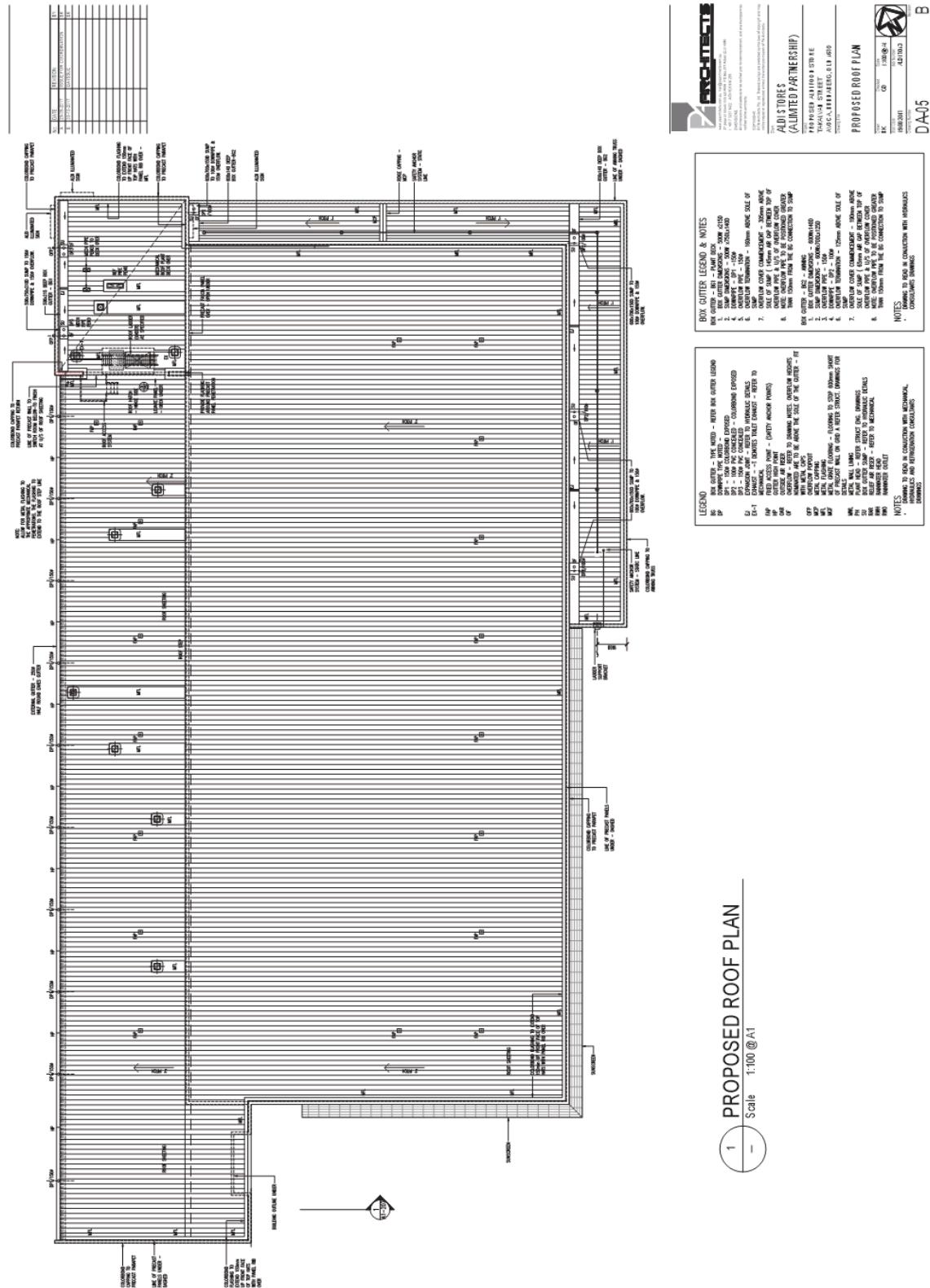


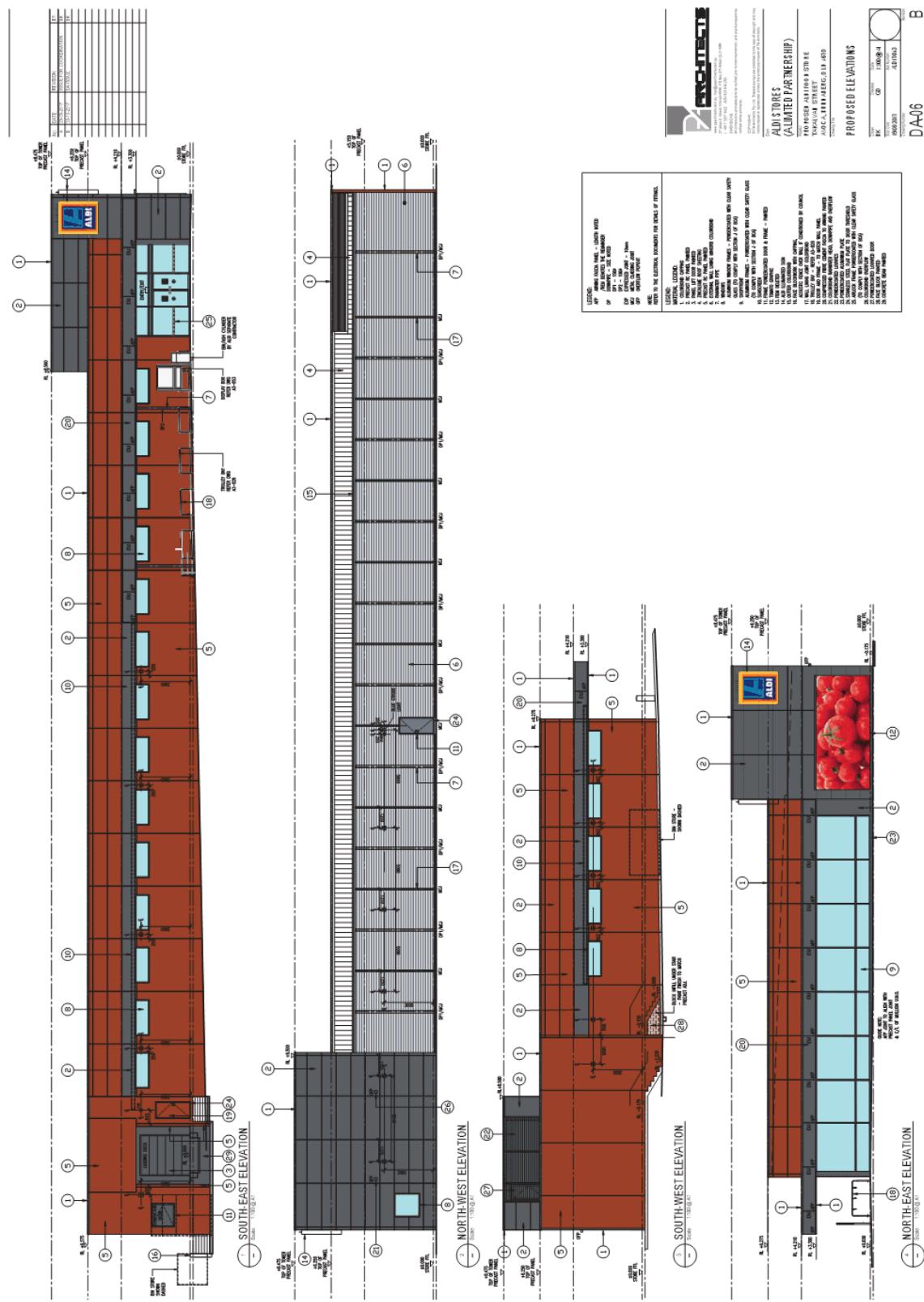




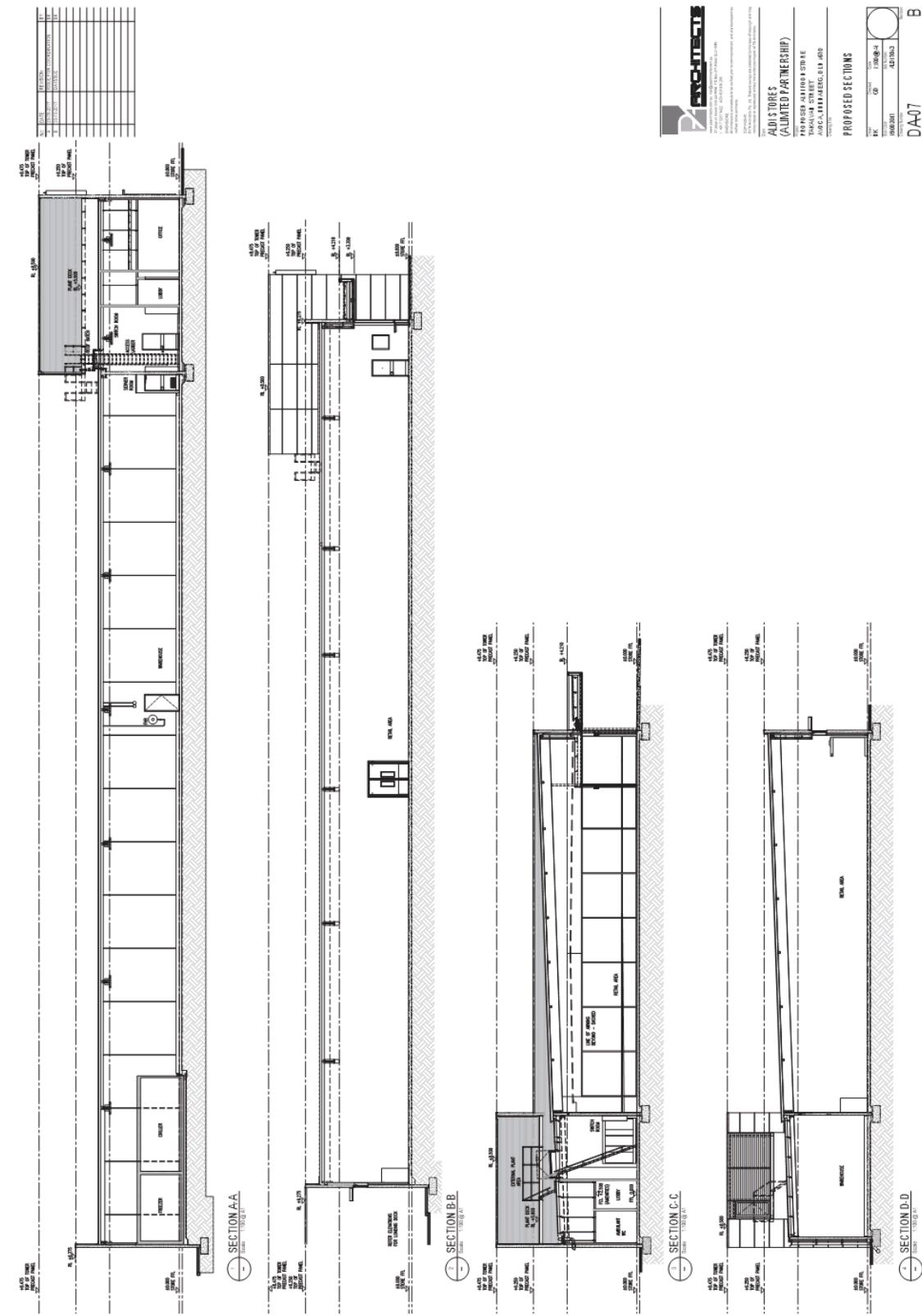


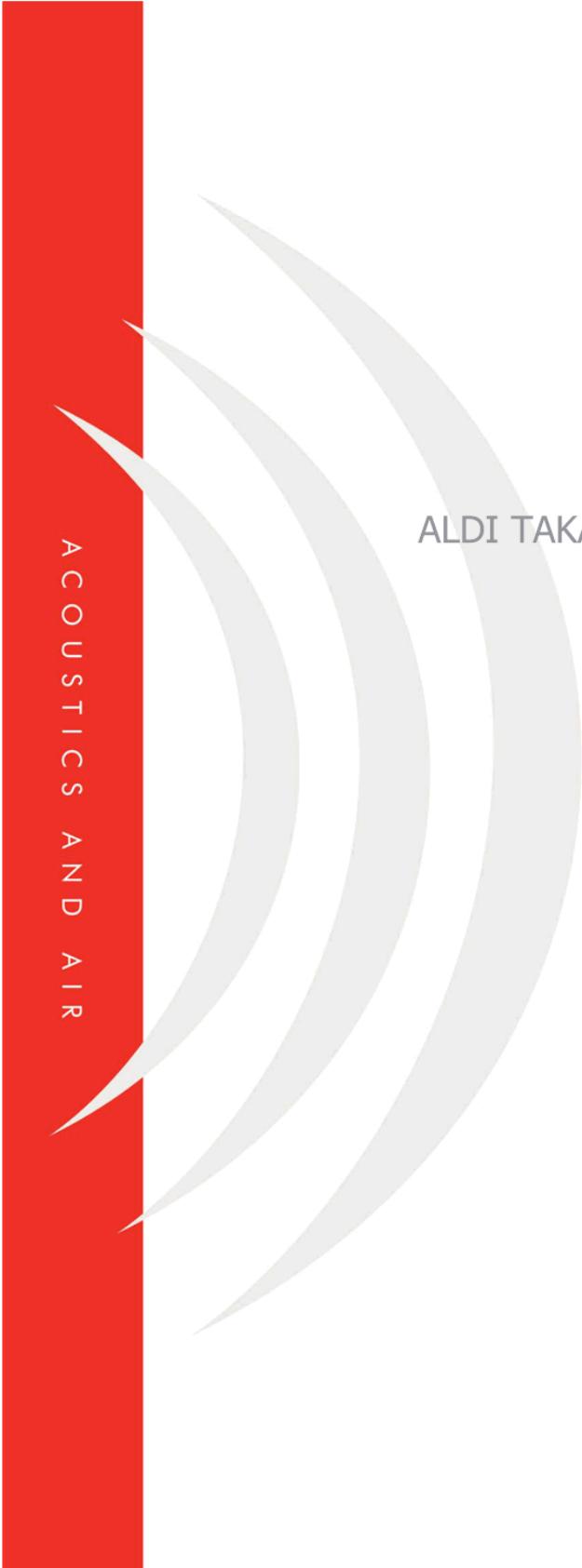






Attachment 3 - Approved Plans





ACOUSTICS AND AIR

ALDI TAKALVAN STREET, AVOC
DA NOISE ASSESSMENT

**REPORT NO. 00768-A
VERSION B**

OCTOBER 2017

PREPARED FOR

ALDI STORES BRENDALE REGION
PO BOX 5205
BRENDALE BUSINESS HUB QLD 4129

ALDI TAKALVAN STREET, AVOCA
DA NOISE ASSESSMENT

REPORT NO. 00768-A VERSION B

DOCUMENT CONTROL

Version	Status	Date	Prepared By	Reviewed By
A	DRAFT	29 October 2017	Adam Bioletti	
B	FINAL	30 October 2017	Adam Bioletti	Sam Demasi

Note

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Quality Assurance

We are committed to and have implemented AS/NZS ISO 9001:2008 "Quality Management Systems – Requirements". This management system has been externally certified and Licence No. QEC 13457 has been issued.



AAAC

This firm is a member firm of the Association of Australian Acoustical Consultants and the work here reported has been carried out in accordance with the terms of that membership.



Celebrating 50 Years in 2012

Wilkinson Murray is an independent firm established in 1962, originally as Carr & Wilkinson. In 1976 Barry Murray joined founding partner Roger Wilkinson and the firm adopted the name which remains today. From a successful operation in Australia, Wilkinson Murray expanded its reach into Asia by opening a Hong Kong office early in 2006. 2010 saw the introduction of our Queensland office and 2011 the introduction of our Orange office to service a growing client base in these regions. From these offices, Wilkinson Murray services the entire Asia-Pacific region.



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ACOUSTICS AND AIR

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APPENDIX A – Noise Measurement Results

GLOSSARY OF ACOUSTIC TERMS

Most environments are affected by environmental noise which continuously varies, largely as a result of road traffic. To describe the overall noise environment, a number of noise descriptors have been developed and these involve statistical and other analysis of the varying noise over sampling periods, typically taken as 15 minutes. These descriptors, which are demonstrated in the graph below, are here defined.

Maximum Noise Level (L_{Amax}) – The maximum noise level over a sample period is the maximum level, measured on fast response, during the sample period.

L_{A1} – The L_{A1} level is the noise level which is exceeded for 1% of the sample period. During the sample period, the noise level is below the L_{A1} level for 99% of the time.

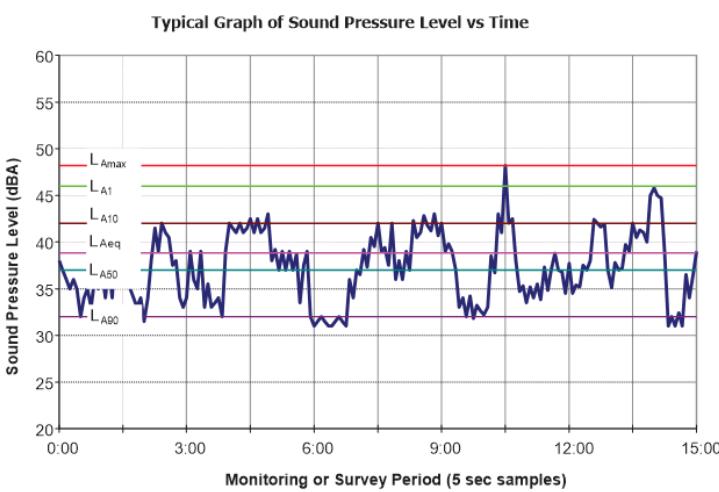
L_{A10} – The L_{A10} level is the noise level which is exceeded for 10% of the sample period. During the sample period, the noise level is below the L_{A10} level for 90% of the time. The L_{A10} is a common noise descriptor for environmental noise and road traffic noise.

L_{A90} – The L_{A90} level is the noise level which is exceeded for 90% of the sample period. During the sample period, the noise level is below the L_{A90} level for 10% of the time. This measure is commonly referred to as the background noise level.

L_{Aeq} – The equivalent continuous sound level (L_{Aeq}) is the energy average of the varying noise over the sample period and is equivalent to the level of a constant noise which contains the same energy as the varying noise environment. This measure is also a common measure of environmental noise and road traffic noise.

ABL – The Assessment Background Level is the single figure background level representing each assessment period (daytime, evening and night time) for each day. It is determined by calculating the 10th percentile (lowest 10th percent) background level (L_{A90}) for each period.

RBL – The Rating Background Level for each period is the median value of the ABL values for the period over all of the days measured. There is therefore an RBL value for each period – daytime, evening and night time.



1 INTRODUCTION

Wilkinson Murray has been engaged by ALDI stores, Brendale Region (ALDI) to undertake an assessment of noise from a proposed supermarket development, located on Takalvan Street, Avoca. The proposed site is shown in Figure 1-1 below.

Assessment has been made in general accordance with the *Environmental Protection Act 1994*, the *Environmental Protection (Noise) Policy 2008*, the *Environmental Protection Regulation 2008*, and common local government assessment requirements. This assessment considers the following noise sources.

- Fixed mechanical plant and equipment.
- Car park noise.
- Truck deliveries.

Figure 1-1 Site Location - Proposed ALDI Supermarket



2 SITE DESCRIPTION

2.1 Site Layout and Nearest Residences

An aerial photograph showing the proposed site and surrounds is presented in Figure 2-1. The proposed store is to be located at the western end of the site.

Residential receivers are located directly to the west/north-west (retirement village) and to the east across Takalvan Street. Other neighbouring sites are commercial.

An easement providing access to the retirement village, adjoins the site to the north.

Noise predictions have been undertaken for the following receivers.

- Receiver 1 – 95/58 Johnston Street (single storey)
- Receiver 2 – 80/58 Johnston Street (single storey)
- Receiver 3 – 128 Takalvan Street (double storey)

Each of these receivers has been indicated in Figure 2-1. Noise predictions to these receivers are expected to be representative of neighbouring receivers also.

Figure 2-1 Project Site and Surrounds



The site layout is shown in Figure 2-2. The drawing in this figure is preliminary and intended only to show the locations of items important to the acoustic assessment.

The loading dock is located on the southern end of the ALDI store building. Delivery Truck access is via Takalvan Street, making use of the shared easement north of the site.

Acoustic transmission from the loading dock area will be significantly shielded to residential receivers to the west by virtue of the ALDI store structure.

A car park for the ALDI store would be located across the balance of the site. Traffic access to the site would be via Takalvan Street.

Air-conditioning and refrigeration plant will be located in a rooftop enclosure.

Figure 2-2 Site Layout



2.2 Operating Hours

ALDI are seeking approval for the store to trade 24 hours seven days a week. However, it is unlikely that the store will trade beyond ALDI's standard trading hours, which are:

- 8.00am to 9.00pm Monday to Friday;
- 8.00am to 5.30pm Saturday;
- 9.00am to 6.00pm Sunday; and
- 9.00am to 6.00pm Public Holidays, except for Good Friday, Easter Sunday, Anzac Day, Labour Day and Christmas Day which will be closed

In order to permit produce and other stock to be displayed and ready for sale at the commencement of trade, ALDI are seeking approval for deliveries to occur 24 hours seven days a week.

2.3 Deliveries

The number of truck deliveries and times of deliveries to the ALDI store may vary. On most days there would be two deliveries to the ALDI store, however on occasions up to four deliveries may be possible.

In order to present stock on the retail floor at the commencement of each day's trading, it is important that deliveries be permitted overnight. This is critical to the successful operation of the supermarket.

Investigations by ALDI resulting from acoustic assessments at other sites indicate that the truck delivery is the operation that has the potential to cause the greatest noise impact. In response to this ALDI has put extensive effort into developing a delivery strategy which minimises noise impact as follows.

- All delivery trailers are company controlled and all drivers are thoroughly trained on the equipment used, store locations and access. All drivers are contracted on condition that they comply with ALDI standards of behaviour, performance and appearance including the control of noise and other emissions and consideration of others.
- All delivery vehicles comply with Department of Transport and Main Roads regulations. All combinations are fitted with rear-facing video monitoring systems to provide full views of reversing and docking procedures. This eliminates the requirement for reversing alarms.
- All trailer refrigeration equipment complies with State noise regulations. In addition, all refrigeration equipment can be switched off by the driver when entering noise sensitive sites in order to reduce these noise emissions.
- Trailers are backed up to store loading docks and fill the entire dock opening. All loading and unloading is carried out directly from the rear of the trailer onto the loading dock, and pallet movements are not visible from any public areas. Any offloading noise is minimised by the close fit of the trailer into the dock opening.
- New trailers which eliminate the noise from maxi brake air expulsion events are being purchased by ALDI and deployed on the most noise-sensitive routes.

It is proposed that deliveries would gain access to the site via Takalvan Street and manoeuvre into the loading dock through the carpark.

3 EXISTING NOISE ENVIRONMENT

This section of the report describes the existing noise environment, which has been quantified through a schedule of unattended noise monitoring undertaken between Friday 13 October and Wednesday 25 October 2017.

3.1 Measurement Location

Noise monitoring was undertaken at the location indicated in Figure 3-1. These locations were identified as being representative of the surrounding receivers.

Figure 3-1 Noise Monitoring Location



3.2 Unattended Noise Monitoring

The unattended noise monitoring equipment used for these measurements consisted of two ARL NGARA environmental noise loggers set to fast response. This equipment is capable of remotely monitoring and storing both A-weighted and C-weighted noise levels every one-tenth of a second. The equipment calibration was checked before and after the survey and no significant drift was noted.

Post processing of the one-tenth second noise levels permits the derivation of noise descriptors. L_A1 , L_A10 , L_A90 , L_{Amax} and L_{Aeq} levels of the ambient noise were analysed in 15-minute sampling periods. L_A1 , L_A10 and L_A90 are the levels exceeded for 1%, 10% and 90% of the sample time respectively (see GLOSSARY for definitions). The L_{Aeq} level is the Equivalent Continuous Sound Level and has the same sound energy over the sampling period as the actual noise environment

with its fluctuating sound levels. The L_{A1} is indicative of regular maximum noise levels due to individual noise events such as the occasional pass-by of a heavy vehicle. The L_{A90} level is normally taken as the background noise level during the relevant period.

Significant rain was recorded by the BOM (Bundaberg Airport) during between Saturday 14 and Wednesday 18 October 2017. This was noted, however summary noise levels for these days were similar to other days in the monitoring period, and so the data was not excluded from the analysis.

Table 3-1 presents a summary of the typical 15-minute noise descriptors.

Table 3-1 Unattended Noise Monitoring Summary – 15-minute Statistical Data

Time Period ²	Measured Noise Level – dBA	
	$L_{Aeq,period}$	Background RBL ¹
Day	62	49
Evening	58	45
Night	53	43

Note: 1. RBL is defined by EcoAccess and is described in the glossary.
2. Day 7.00am-6.00pm; Evening 6.00pm-10.00pm; Night 10.00pm-7.00am.

4 NOISE CRITERIA

This section of the report presents appropriate criteria for the assessment of operational noise. Criteria are presented for continuous steady-state (plant noise), intermittent time-varying (car park and deliveries) and also sleep disturbance (deliveries).

Bundaberg Regional Council Planning Scheme 2015 – 9.3.3 Nuisance Code includes performance outcomes for acoustic amenity in Table 9.3.3.3.1. Relevant performance outcomes (PO) are reproduced below.

Table 4-1 Bundaberg Regional Council Planning Scheme 2015 – Nuisance Code

Performance Outcomes	Acceptable Outcomes
PO1 Development is located, designed, constructed and operated to ensure that noise emissions do not adversely impact upon surrounding sensitive land uses.	AO1 No acceptable outcome provided.
PO3 A satisfactory level of acoustic amenity is achieved for:- (a) external private and communal open space areas (including gardens and balconies) of sensitive land uses; and (b) parks and other areas of public open space (where not used for outdoor sport, recreation and entertainment).	AO3 No acceptable outcome provided.
<p>Note—this performance outcome will not be met if significant increases (i.e. more than 3 dBA) over and above pre-existing noise levels are likely to occur post development.</p>	

Excluding the quantitative criterion of PO3 which relates to external spaces, no other quantitative criteria are specified. Guidance to suitable noise criteria can be found within the *Environmental Protection (Noise) Policy 2008*.

4.1 Environmental Protection (Noise) Policy 2008

The *Environmental Protection (Noise) Policy 2008* [EPP (Noise) 2008] specifies acoustic objectives for intermittent and continuous noise with the intent of controlling background creep.

Section 10 of the EPP (Noise) 2008 states the following regarding noise levels at a sensitive receiver:

- "To the extent that it is **reasonable** to do so, noise from an activity must not be—
- (a) for noise that is continuous noise measured by $L_{A90,T}$ —more than nil dB(A) greater than the existing acoustic environment measured by $L_{A90,T}$; or
 - (b) for noise that varies over time measured by $L_{Aeq,adj,T}$ —more than 5 dB(A) greater than the existing acoustic environment measured by $L_{A90,T}$."

Noise emissions from mechanical plant would be considered continuous and so the former planning level applies, whilst car park and delivery noise is intermittent and thus would attract the latter planning level.

The noise planning levels become those presented in Table 4-2.

Table 4-2 Controlling Background Creep Noise Criteria – dBA

Continuous Noise – $L_{A90,T}$			Time-Varying Noise – $L_{Aeq,adj,T}$		
Day	Evening	Night	Day	Evening	Night
49	45	43	55	50	48

Note: Time periods are: Day 7.00am-6.00pm; Evening 6.00pm-10.00pm; Night 10.00pm-7.00am

For intermittent or short-term noise it is also necessary to consider the acoustic quality objectives detailed in Schedule 1 of the *EPP (Noise) 2008*. Table 4-3 reproduces the acoustic quality objectives which are relevant to the Project.

The acoustic quality objectives are "*total levels of noise in the surrounding environment*" and so existing ambient noise is not excluded. Therefore, it is necessary to define criteria for the Project which consider existing noise levels. Furthermore, it is convenient to assess noise externally. For this purpose, an outside to inside attenuation through an open window of 10 dB has been assumed, as is common practice in Australia. In reality, measured ambient noise levels exceed the internal design levels by more than 10 dB and so it is likely that facades either provide greater attenuations, residents close windows or residents living within this acoustic environment are less sensitive to noise. Regardless, this suggests that the assumption of a 10 dB attenuation is conservative.

In all time periods, the measured existing ambient noise (represented by L_{Aeq}) exceeds the acoustic quality objectives. Given that the acoustic quality objectives are stated as being objectives that are intended to "*be progressively achieved over the long term*", we consider that achieving a noise level sufficiently below existing noise levels so as to not appreciably increase the noise environment with the introduction of the Project fulfils the interim objectives of the *EPP (Noise) 2008*. For this purpose a noise objective of 5 dBA below the existing noise or the *EPP (Noise) 2008* objective, whichever is higher, has been adopted for the L_{Aeq} , L_{A10} and L_{A1} noise descriptors.

Table 4-3 Acoustic Quality Objectives, EPP (Noise) 2008

Sensitive Receptor	Time of Day	Acoustic Quality Objective (measured at Receptor) dBA			Environmental Value
		$L_{Aeq,adj,1h}$	$L_{A10,adj,1hr}$	$L_{A1,adj,1hr}$	
Dwelling (outdoors)	Daytime and evening	50	55	65	Health and wellbeing
Dwelling (indoors)	Daytime and evening	35	40	45	Health and wellbeing
	Night-time	30	35	40	Health and wellbeing, in relation to sleep

Based on the methodology discussed above, the external acoustic quality objectives for intermittent or short term noise become those presented in Table 4-4.

Table 4-4 Intermittent or Short-Term Noise Objectives

Sensitive Receptor	Time of Day	Acoustic Quality Objective – dBA		Environmental Value
		$L_{Aeq,adj,1h}$		
Dwelling (outdoors)	Daytime and evening	53-57		Health and wellbeing
	Night-time	48		Health and wellbeing, in relation to sleep

4.2 Sleep Disturbance

4.2.1 ANSI S12.9-2008 Part 6

American National Standard ANSI S12.9-2008 Part 6: *Methods for Estimation of Awakenings Associated with Outdoor Noise Events Heard in Homes* presents a dose-exposure method for the prediction of sleep awakenings.

ANSI S12.9-2008 presents two formulae for the prediction of awakening reactions in the general population exposed to a given noise environment. Both make use of the indoor SEL to describe a noise event, whilst the more detailed approach also considers the time since retiring of that event (i.e. how long the subject has been asleep). Only the simpler approach is discussed in this investigation.

ANSI S12.9-2008 states that the probability of awakening can be described by:

$$\text{Probability Awakening (Single Event)} = 1/(1+e^Z) \quad \text{Equation 4-1}$$

where $Z = -6.8884 + 0.04444 \times L_{AE}$ and $L_{AE} = ASEL = A\text{-weighted SEL}$.

The standard states that

"Any ASELS that are less than 50dBA shall be ignored. That is, the probability of awakening shall be set to zero for any ASEL that is less than 50 dBA."

Applying tolerance for awakenings of 5%, as is standard in many Australian interpretations, and assuming that approximately 3-4 noise events of a similar noise level (such as the maxi brake air release, driver's cab door closing, engine starting) would occur during each delivery, the permitted internal noise level for a single delivery based on the ANSI S12.9-2008 would be 57dBA. This equates to an external noise level of 67dBA, applying the assumed 10 dB attenuation from outside to inside.

We note that the probability of noise events below 50dBA causing sleep awakenings is low and ANSI S12.9-2008 suggests that many such events could be tolerated.

The WHO (*Night Noise Guidelines for Europe*), World Health Organisation, 2009 determine that the threshold for awakening reactions to noise is 42dBA L_{Amax} internally. Bullen et al. (*Sleep Disturbance Due to Environmental Noise: A Proposed Assessment Index*), Robert Bullen, Andrew

Hede, Tony Williams, Acoustics Australia, 1996), in summarising the results of numerous studies on sleep disturbance, suggest that the probability of awakening reactions tends to zero below 45dBA.

Bullen et al. also suggest that at 'low' noise levels the emergence of noise events, i.e. the difference between the level of the event and the general ambient noise level, becomes important in evaluating the likelihood of awakening reactions. Bullen suggests that if events are within 5dB of the ambient L_{Aeq} , then the probability of sleep disturbance reduces to zero. Similarly, if the noise event level is greater than 20dB above the ambient L_{Aeq} , Bullen suggests that the emergence of the noise event is no longer important and that the noise level alone is sufficient to predict the likelihood of awakenings.

Assuming that the ambient noise level within most sleeping areas of residences (with windows open) is up to 30-40dBA, which is the recommended satisfactory-maximum range of design noise levels specified by Australian Standard AS 2107, then it is reasonable to assume that for internal event noise levels of say 55dBA and above, the relationship described by Equation 4-1 would provide reasonable results. We caution that for noise levels in the range 50-55dBA, Equation 4-1 may over-predict, and for noise levels in the range 45-50dBA, assuming an awakening probability of zero may under-predict.

4.2.2 World Health Organisation (WHO)

The WHO (Europe) has published *Night Noise Guidelines for Europe* [NNG] (2009). The guideline presents alternative assessment criteria to those presented in the WHO's *Guidelines for Community Noise* (1999), on the basis of more recent and more relevant research. The NNG recommends an L_{Aeq} approach to the assessment of night noise, averaged over all night time periods for a one-year period.

On the basis of the health effects considered by the studies founding the NNG, the guideline concludes that the recommend night noise guideline value to protect health is the A-weighted night time noise level averaged over a one-year period – $L_{night,outside}$ – 40dBA, with an interim target of $L_{night,outside}$ 55dBA. Note that the WHO assume an outside to inside attenuation of 15-21dB (21dB stated as default assumption, 15dB stated in translating $L_{night,outside}$ 42dBA to $L_{night,inside}$ 27dBA in discussion of the sleep awakening threshold). This attenuation relates to cultural and regional differences, such as percentage open of windows and building constructions, and is more readily accepted as 10dB in Australia (this assessment has conservatively adopted 10dB). Therefore, the WHO's NNG targets would be nearer to $L_{night,outside}$ 35dBA, with an interim target of $L_{night,outside}$ 50dBA to maintain the same noise level at the occupants ear.

In the context of an L_{Aeq} assessed over the entire night time period, a single truck delivery is likely to have little influence on the overall night time L_{Aeq} , as elevated noise levels prevail for only 1-2 minutes during manoeuvring, with few discrete noise maxima (generally at a lesser noise level than the arrival) whilst unloading occurs and the truck then departs.

The NNG does acknowledge that "short-term effects are mainly related to maximum levels per event inside the bedroom: $L_{max, inside}$ ". Considering this, the L_{night} approach recommended by the NNG may not be the most appropriate for the assessment of only a limited number of discrete, short-term noise events.

4.2.3 EcoAccess Guideline

The QLD Environmental Protection Agency *Ecoaccess Guideline: Planning for Noise Control* cites probabilities of awakening reactions published by WHO (*Guidelines for Community Noise* (1999)) and adopts the 10% probability of awakenings as being an appropriate target level.

Table 4-5 gives the number of permissible noise events for different external maximum noise levels for a probability of 10 percent awakening for partially closed windows (NR 10dBA). This criterion has been selected to protect at least 90 percent of the population from the adverse effects of transient noise.

Table 4-5 Number of Permissible Noise Events for Various External Maximum Noise Levels for Partially Closed Windows (10% probability of awakening)

L _{Amax} (dBA)	47	52	57	62
Number of events (n)	32	10	3	1

[Source: Table 8 Ecoaccess Guideline]

Wilkinson Murray cautions against the verbatim use of these criteria noting that the WHO guideline from which the criteria are derived was released in 1999 and the research upon which the criteria are based pre-dates even this. As discussed in Section 4.2.2, the WHO's NNG (2009) presents the latest consolidated advice from the WHO relating to sleep disturbance, whilst other sources discussed in this section consider contemporary research.

4.2.4 NSW Road Noise Policy and Environmental Criteria for Road Traffic Noise

In preparing the recently released NSW *Road Noise Policy* (RNP) [NSW Department of Environment, Climate Change & Water (DECCW), 2011], the former DECCW reviewed available research and guidelines including WHO *Community Noise Guidelines* 1999, WHO *NNG* and studies by enHealth Council (2004) and concluded the following.

"From the research on sleep disturbance to date it can be concluded that:

- *maximum internal noise levels below 50–55 dB(A) are unlikely to awaken people from sleep.*
- *one or two noise events per night, with maximum internal noise levels of 65–70 dB(A), are not likely to affect health and wellbeing significantly.*

The Environmental Criteria for Road Traffic Noise (ECRTN) [NSW Environment Protection Authority NSW 1999] discussed a guideline aimed at limiting the level of sleep disturbance due to environmental noise – that the L_{AFL, 1 minute} level of any noise should not exceed the ambient LAF90 noise level by more than 15 dB. This guideline takes into account the emergence of noise events, but does not directly limit the number of such events or their highest level, which are also found to affect sleep disturbance."

4.2.5 Sleep Disturbance Criteria Summary

Table 4-6 presents a summary of the sleep disturbance criteria and guideline values discussed in the previous sections.

We do note that traffic and other local noise has the potential to produce noise levels exceeding the recommended values discussed in the previous sections. Experience shows that in these environments, a greater percentage of residents close windows more fully (less percentage open) and thus the outside to inside attenuations in these environments may be higher. Noting that the assessment of night time noise relates to the internal noise level, i.e. at the occupants ear, the external criteria presented in Table 4-6 would be conservative for some receivers in these environments.

It may also be appropriate in these environments to consider a comparative awakening noise descriptor such as the cumulative probability of awakening reactions method which is described in ANSI S12.9-2008 Part 6 (applied to the entire night time noise environment), or the Sleep Disturbance Index (SDI) which was proposed by Bullen et al. (1996).

On the basis of the most recent research into the subject of sleep disturbance the ANSI S12.9-2008 Part 6 and WHO *NNG* 2009 guidelines are considered most appropriate to accurately evaluate the general population's expected reaction to night time noise. Of these, noting that the WHO acknowledge that the effects of short term events are more readily described by L_{Amax} or L_{AE} than L_{Aeq} , the ANSI value of L_{AE} 67 dBA externally is considered the most appropriate criterion.

Table 4-6 Summary of Sleep Disturbance Criteria

Source	Descriptor	External ¹ Limit/ Guideline Value	Basis / Comments
ANSI S12.9-2008 Part 6	L_{AE} / L_{Amax}	67 dBA / 57 dBA	Predicted level for 5% awakening reactions. Based on 3-4 noise maxima during a delivery.
WHO <i>NNG</i> 2009	L_{night}	35 dBA ² <i>NNG</i> , 50 dBA ² interim target	Predicted threshold of health affects due to noise interrupted sleep. <i>NNG</i> acknowledges that the effects of short term events are more related to the L_{Amax} descriptor.
<i>Ecoaccess Guideline: Planning for Noise Control</i>	L_{Amax}	62 dBA for 1 event 57 dBA for 3 events 47 dBA for 32 events	Predicted level for 10% awakening reactions.
NSW <i>RNP</i> and <i>ECRTN</i>	L_{Amax}	60-65 dBA regularly; 75-80 dBA once or twice per night	Derived from various research.

Notes: 1. An outside to inside attenuation of 10dB has been assumed when converting internal noise criteria.
2. Based on WHO *NNG* guideline values for Europe and adjusted for Australian conditions with regard to cultural habits and typical building constructions.

5 NOISE PREDICTIONS

5.1 Fixed Mechanical Plant & Equipment

All noise predictions have been based on manufacturer's data for typical equipment at ALDI Stores. The assumed levels are given in Table 5-1.

Table 5-1 Plant Noise Levels

Item	Sound Power Level, dBA
ALDI Air Conditioning Plant	90 (high)
Refrigeration System Condensers	80
Refrigeration Compressor Rack	80

During night-time operation, when the store is closed, the air-conditioning plant runs in humidity-control mode, and is generally off. Refrigeration plant operates on a 24-hour basis, however with lower cooling loads (roller blinds are used to close off refrigerated wall cabinets) and cooler ambient conditions, refrigeration plant runs on a light duty cycle, and condenser fans generally operate at low speed. Condenser fans are expected to run at no more than 50% speed during the night.

Receiver noise levels have been predicted accounting for attenuation due to distance, air absorption and shielding. Predictions assume shielding is provided by the plant enclosure. The rooftop plant room is assumed to be comprised of vertical walls only with an open top allowing noise discharge directly upwards.

Table 5-2 presents a summary of the predicted plant noise emissions which have been made to the nearest and most potentially impacted residential receivers, as presented in Figure 2-1.

Table 5-2 Predicted Plant Noise

Receiver / Group	Noise Goals – $L_{A90,T}$ (dBA)			Predicted Receiver Noise Level – $L_{A90,T}$ (dBA)	
	Day	Evening	Night	Day/Evening	Night
	1	49	45	43	33
2	49	45	43	39	36
3	49	45	43	30	27

The predicted noise levels from mechanical plant with the proposed acoustic mitigation are within noise objectives derived from EPP (Noise) 2008 objectives. The mitigation has been specified such that operation of the air-conditioning during the night time period will not result in noise exceedances, though as discussed, this scenario is unlikely to eventuate.

5.2 Car Park Activities

In order to predict noise levels, it is necessary to assume the activities which would occur on the site during a typical 15-minute period.

A typical peak 1-hour traffic generation of 200 vehicles was assumed for the assessment of car park noise. Were the store to trade at night we anticipate that approximately 40 vehicles per hour would be representative.

The L_{Aeq} noise level associated with car park activity is predicted as 71 dBA at 7m for 200 vehicles per hour (Bavarian State Agency for the Environment 2007, "Parking Area Noise", 6th Edition, Bavarian State Ministry for the Environment, Germany). An L_{Amax} noise level of 73dBA at 7m is typical when considering short-term events such as a car starting or car door closing.

It should be noted that these incorporate all vehicle associated activities including; cars starting and moving, doors and boots closing, trolley movements and people talking.

A noise barrier or solid fence is proposed along the boundary that adjoins receiver 1 (refer blue line in Figure 5-1). This barrier would be 1.8m high. The noise barrier would have a minimum surface density of 10kg/m². ALDI's standard timber lapped and capped fence meets this surface density requirement.

Receiver noise levels have been predicted accounting for attenuation due to distance, air absorption and shielding. Table 5-3 presents a summary of the predicted car park noise emissions. Predictions have been made to the nearest and most potentially impacted residential receivers.

Table 5-3 Predicted Car Park Noise

Receiver / Group	Noise Goals – $L_{Aeq,Adj}$ (dBA)			Predicted Receiver Noise Level – $L_{A90,T}$ (dBA)	
	Day ¹	Evening ¹	Night ¹	Day/Evening	Night
1	55	50	48	39	32
2	55	50	48	25	18
3	55	50	48	34	27

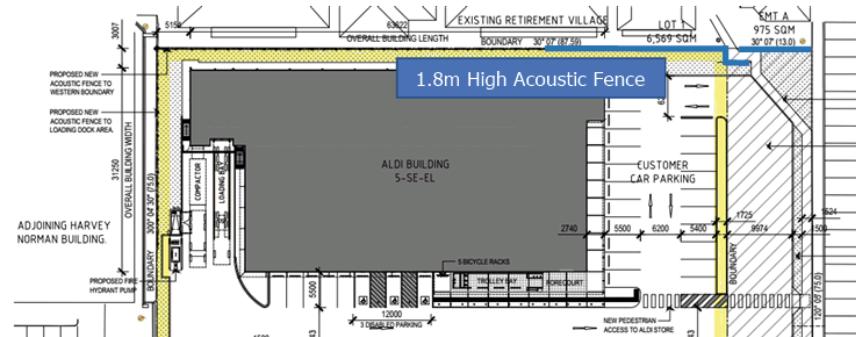
Notes: 1. Criteria for all time periods are derived from the *EPP (Noise) 2008* objectives to control background creep.

The noise emissions from the car park are predicted to comply with criteria during all time periods. On this basis we consider that noise emissions from the car park are unlikely to adversely impact surrounding receivers.

ALDI TAKALVAN STREET, AVOCADANOISE ASSESSMENT

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Figure 5-1 Carpark Noise Barrier Extents



Notes: 1. Minimum extents are shown. It may be preferable to extent the fence along the length of the common boundary with the retirement village.

5.3 Truck Delivery and Loading Dock Noise

The loading dock is located on the southern side of the store building, and is shown in Figure 2-2.

5.3.1 Cardboard Compactor

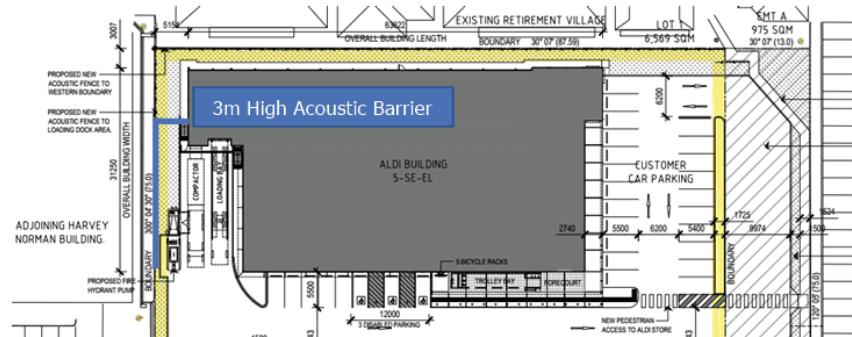
The Cardboard Compactor is likely to be collected for emptying approximately once per month, during normal daytime business hours. The compactor will generally only be used during normal store opening hours. The use of the compactor is predicted to result in $L_{Aeq,15min}$ noise levels less than 40 dBA at the adjoining receivers, which is well within the appropriate criteria for transient noise sources.

5.3.2 Deliveries

For assessment purposes, in relation to a truck, it is assumed that the noisiest activity would be a delivery from a 19m truck associated with the ALDI store including the arrival, manoeuvring and commencement of unloading. The location of the loading dock will require the truck to enter the site from Takalvan Street, via the easement on the northern end of the site. The truck will then travel through the carpark, before reversing into the loading dock. This process is expected to take between 1 to 1.5 minutes. The truck will then apply the maxi-brake and prepare for unloading.

Based on the position of the loading dock and the unloading procedure mentioned above the L_{Aeq}, noise levels have been predicted at the neighbouring residences. For reference, the L_{Aeq} noise level when averaged over a 15-minute period associated with a truck manoeuvring is predicted as 63dBA at 7m and the potential "crashes and bangs" from the loading dock as 62dBA at 7m.

A noise barrier is proposed on the northern side of the loading dock as shown in Figure 5-2. The noise barrier discussed in the previous section will also assist in mitigating noise from deliveries. Both noise barriers would have a minimum surface density of 10kg/m^2 .

Figure 5-2 Indicative Loading Dock Noise Barrier Extents

Receiver noise levels have been predicted accounting for attenuation due to distance, air absorption and shielding (where appropriate). Table 5-4 presents a summary of the predicted truck manoeuvring and unloading noise emissions.

Table 5-4 Predicted Truck Delivery and Loading Dock Noise

Receiver / Group	Noise Goals – $L_{Aeq,Adj}$ (dBA)			Predicted Receiver Noise Level – $L_{Aeq,Adj}$ (dBA)
	Day	Evening	Night	
1	57	53	48	30
2	57	53	48	29
3	57	53	48	31

The noise levels from truck deliveries and unloading are predicted to be within relevant criteria at all times for each of the residential receivers and so are considered acceptable.

5.4 Sleep Disturbance

In order to assess the potential for night time noise to impact surrounding noise-sensitive receivers' sleeping environments, maximum noise levels from each of the noise sources that could be present at night have been predicted to the most affected receivers. In order to accurately predict attenuations due to shielding and air absorption, which are frequency dependent, predictions have been made using measured octave-band spectra for each source with the aid of a computer noise model.

The likely number of occurrences assumes two deliveries would occur during a night, though only one is typically likely.

We reiterate that ALDI have implemented numerous controls to minimise the emissions from deliveries. These include:

- thoroughly training all drivers and contracting them on condition that they comply with ALDI standards of behaviour, performance and appearance including the control of noise and other

emissions and consideration of others.

- fitting all combinations with rear-facing video monitoring systems to provide full views of reversing and docking procedures, thus eliminating the requirement for reversing alarms;
- having all refrigeration equipment switched off by the driver prior to entering noise sensitive sites;
- backing trailers up to store loading docks to fill the entire dock opening, with the aid of purposefully designed docks, thus minimising noise spill during unloading.

Table 5-5 presents a summary of the predicted maximum noise levels at the most affected receivers for truck manoeuvring and unloading activities.

Table 5-5 Maximum Noise Level Assessment

Source	Likely number of occurrences	Criteria ¹ (dBA)	Reference Source Level (dBA)	Predicted L _{Amax} (dBA)
Receiver 1				
Truck – manoeuvring	2-4	67	77 dBA at 7m	48
Truck – maxi brake application	2	67	97 dBA at 7m free-field	45
Loading dock – unloading	30 ²	50	77 dBA at 7m	31
Receiver 2				
Truck – manoeuvring	2-4	67	77 dBA at 7m	40
Truck – maxi brake application	2	67	97 dBA at 7m free-field	57
Loading dock – unloading	30 ²	50	77 dBA at 7m	41
Receiver 3				
Truck – manoeuvring	4	67	77 dBA at 7m	49
Truck – maxi brake application	2	67	97 dBA at 7m free-field	39
Loading dock – unloading	30 ²	50	77 dBA at 7m	29

Note: 1. The sleep disturbance criterion has been derived from *ANSI S12.9-2008 Part 6* as discussed in Section 4.2.
 2. Up to 30 noise events could be audible from unloading. Predicted levels are for the loudest of these events.
 The majority of unloading events would produce noise emissions well below those reported.

Noise levels from all sources are predicted to comply with the appropriate criteria.

6 CONCLUSION

Wilkinson Murray has undertaken an assessment of noise impacts associated with a proposed ALDI store at 123 Takalvan Street, Avoca. The assessment has been conducted in general accordance with local government requirements and also State legislation.

The assessment has considered 24-hour operation of the store, including 24-hour deliveries. It is unlikely that 24-hour operation would be utilised – rather ALDI would revert to their current standard trading hours. Approval to make deliveries during the night-time period is sought and is critical to the store's operation as it permits stock, which includes fresh produce, to be presented on the retail floor in time for the day's trading.

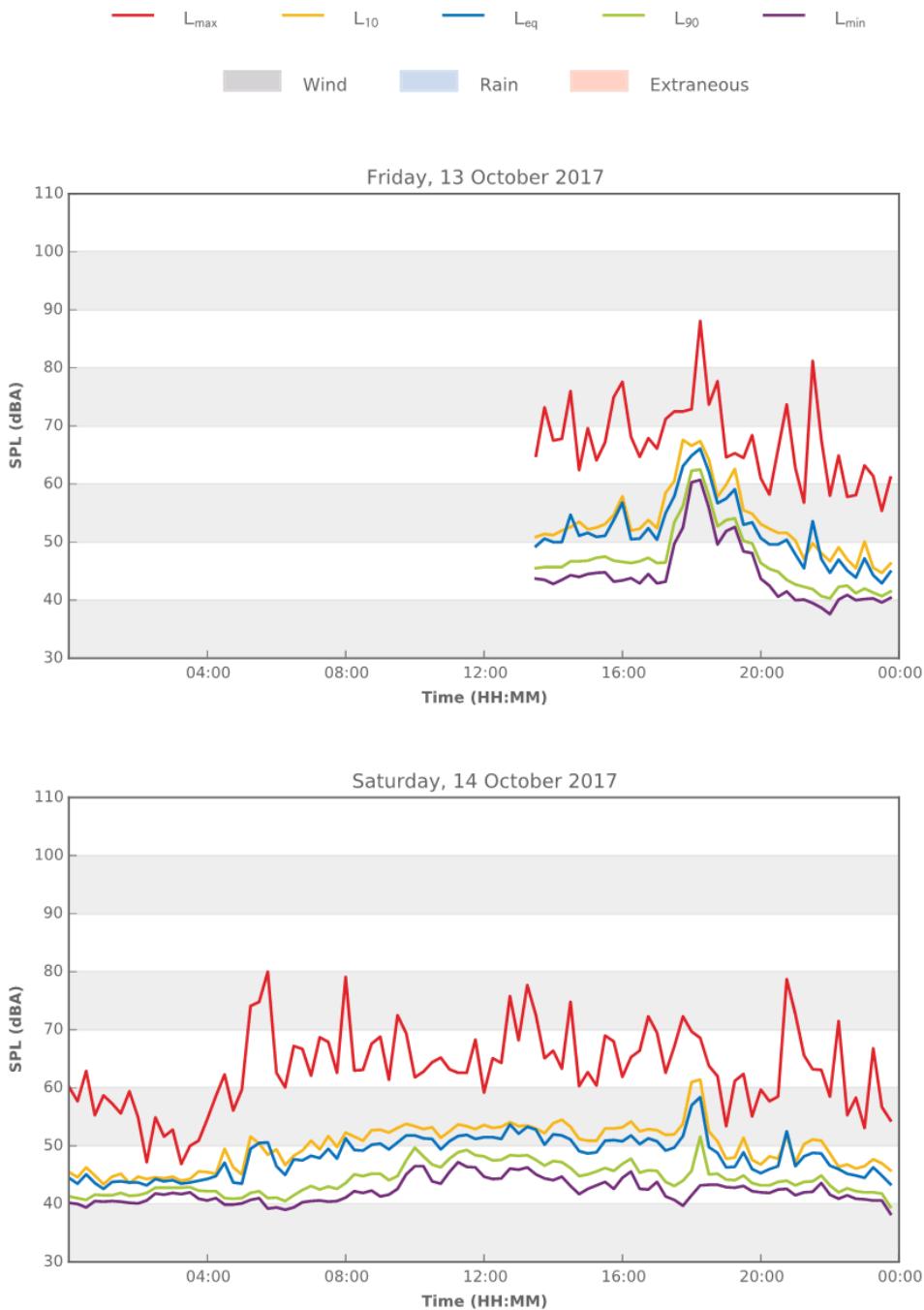
The noise predictions in this assessment are contingent on the following noise mitigation being incorporated in the development.

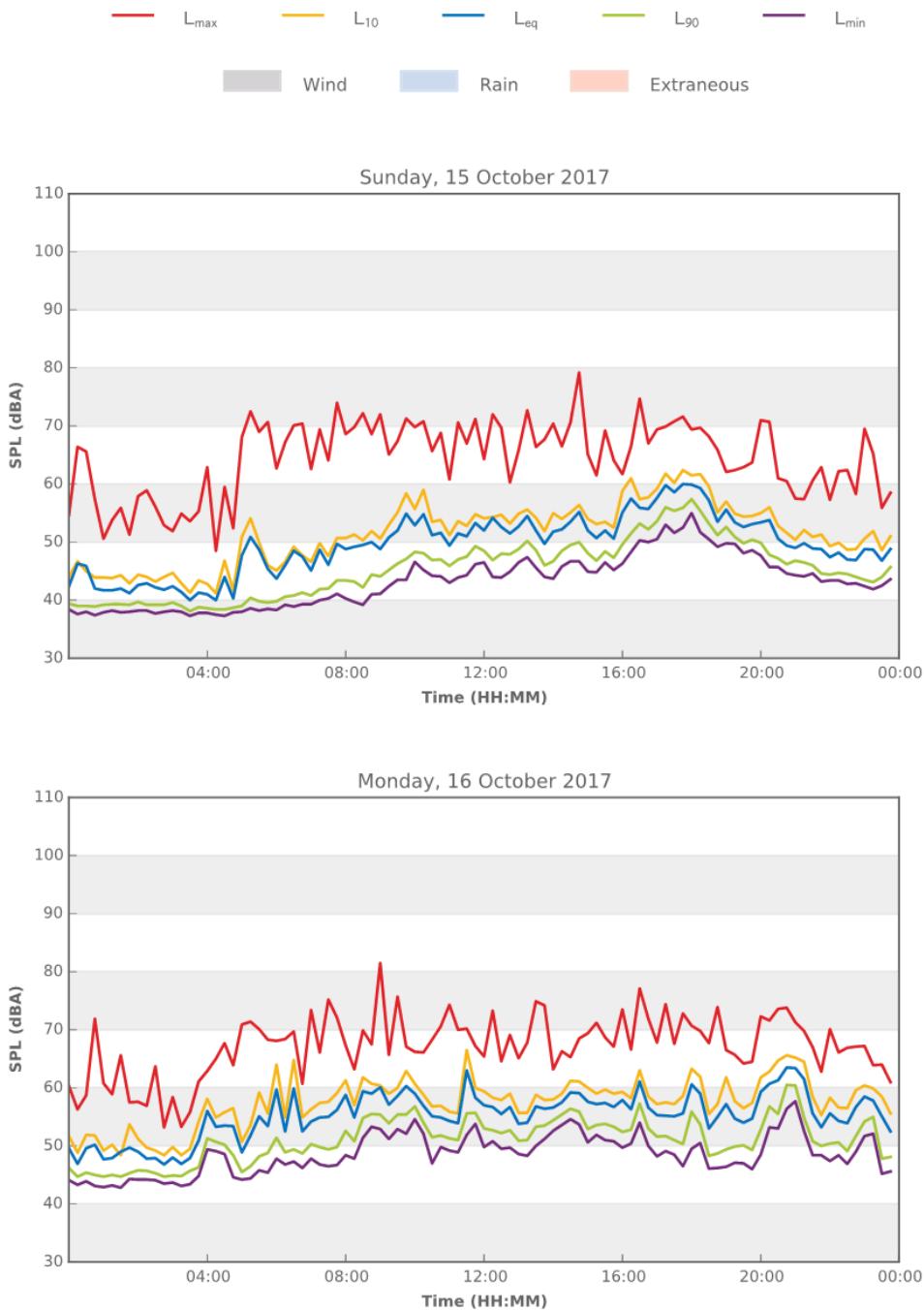
- A 1.8m high acoustic fence/barrier with minimum extents as shown in Figure 5-1. The noise barrier would have a minimum surface density of 10kg/m². ALDI's standard timber lapped and capped fence meets this surface density requirement
- A 3m high acoustic barrier adjoining the loading dock, with extents similar to those indicated in Figure 5-2. The noise barrier would have a minimum surface density of 10kg/m².
- A rooftop plant enclosure housing all mechanical plant, surrounded by solid walls on all sides exceeding the height of any enclosed plant. ALDI's standard rooftop enclosure has been considered in this assessment.

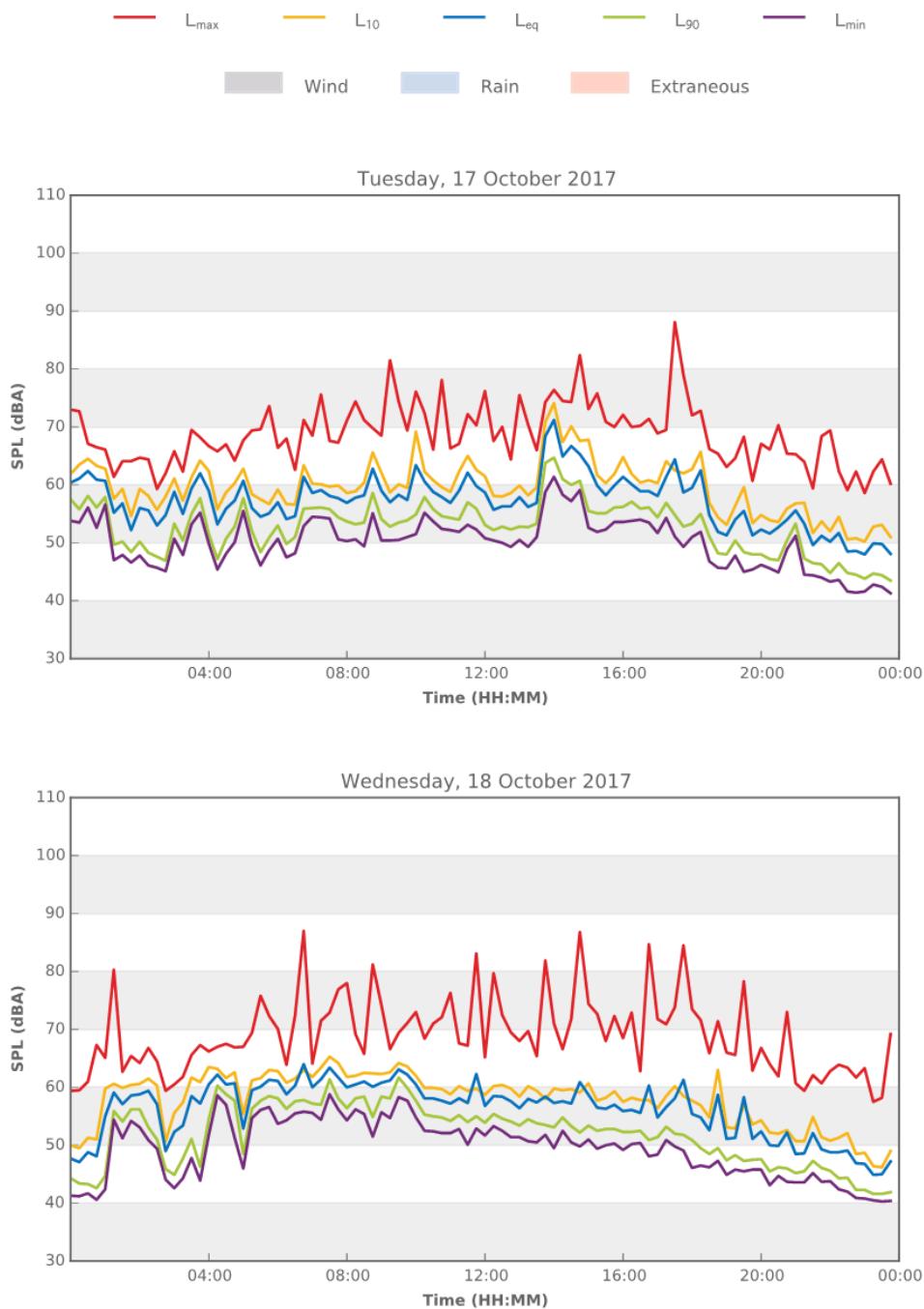
Noise levels resulting from mechanical plant, car park activities, delivery truck access and loading dock activities were all considered. Noise emissions from all sources are predicted to comply with criteria for transient and steady-state noise at all times, with the mitigation specified in this report.

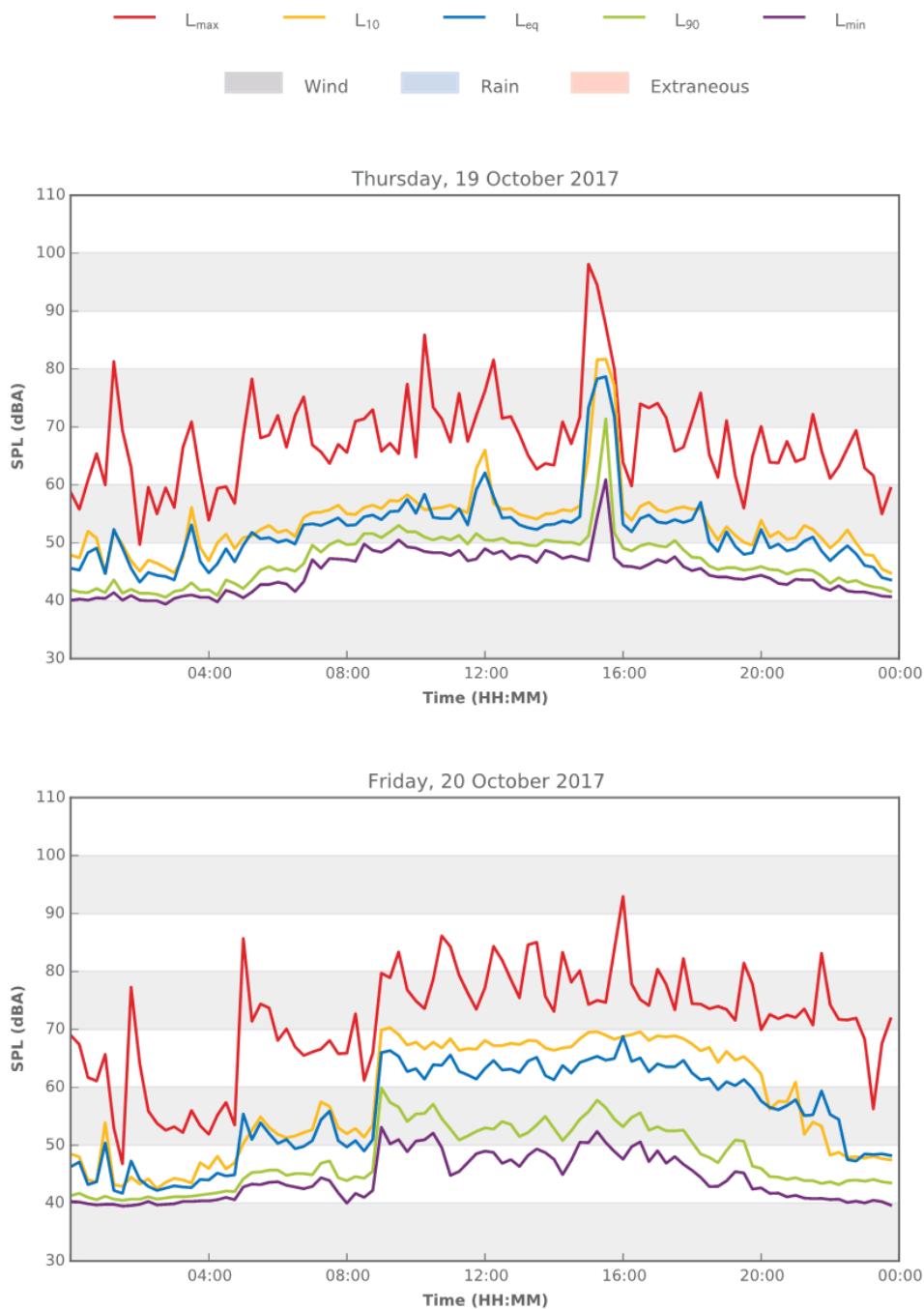
Our assessment has paid particular attention to the potential for sleep disturbance. The noisiest single event that would occur at night is from the manoeuvring of the truck into the loading dock area. We have concluded that the L_{Amax} from manoeuvring of the truck and unloading is predicted to be within appropriate sleep disturbance criteria. Therefore, the ordinary operations of the store, including the delivery of stock to the store, whilst audible, are predicted to have negligible impact on surrounding receivers' sleeping environment.

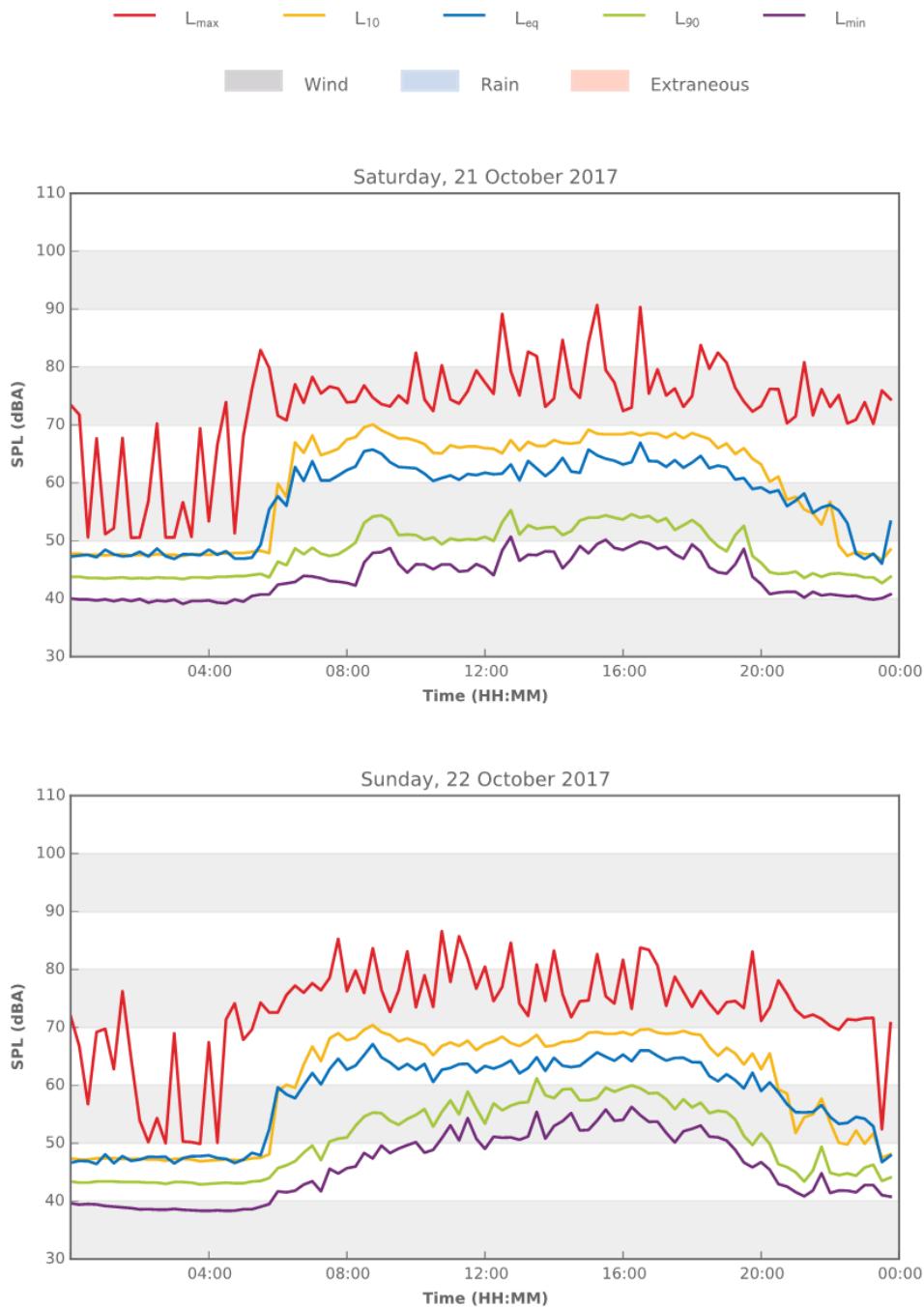
APPENDIX A
NOISE MEASUREMENT RESULTS

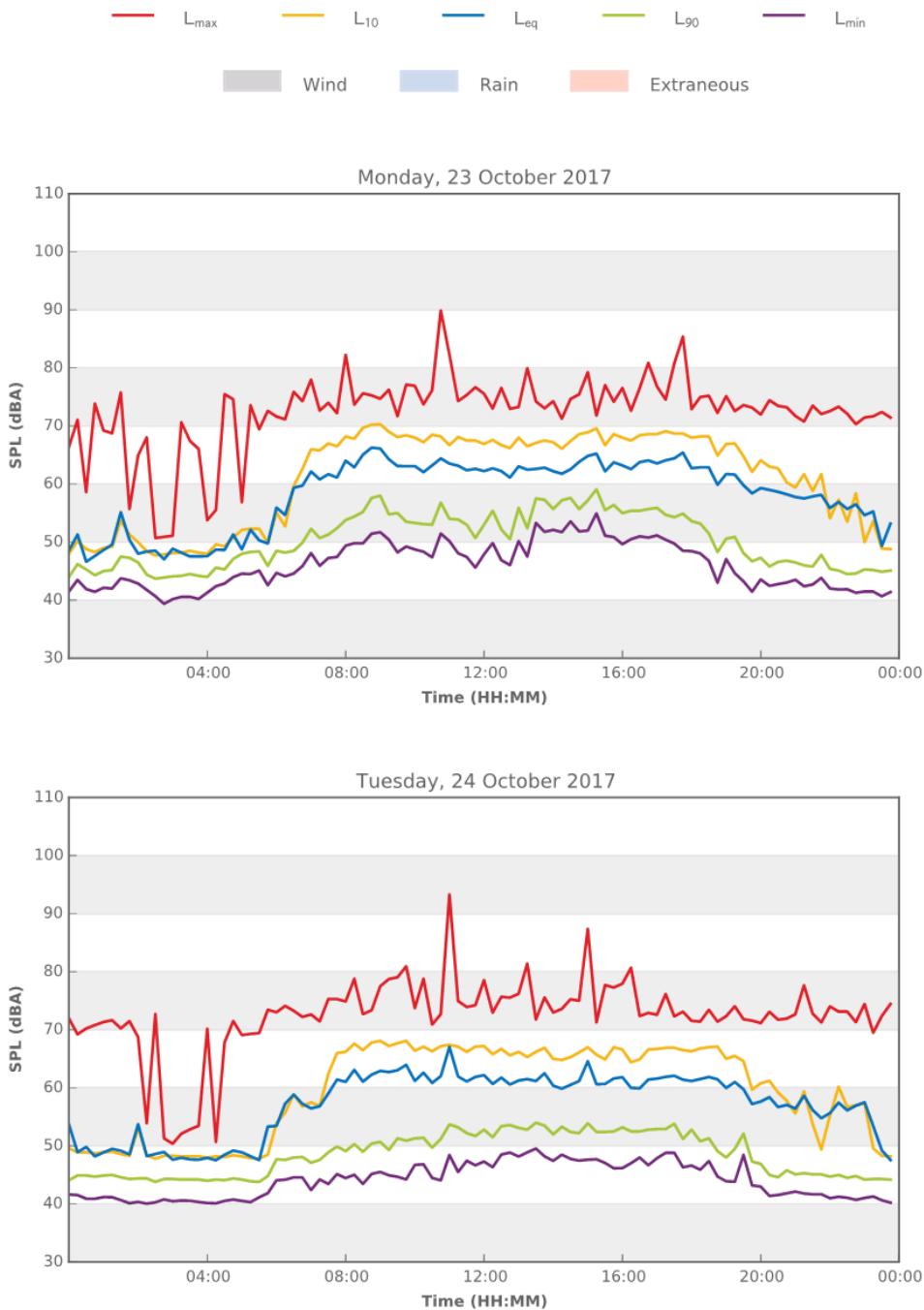
123 Takalvan Street, Kensington

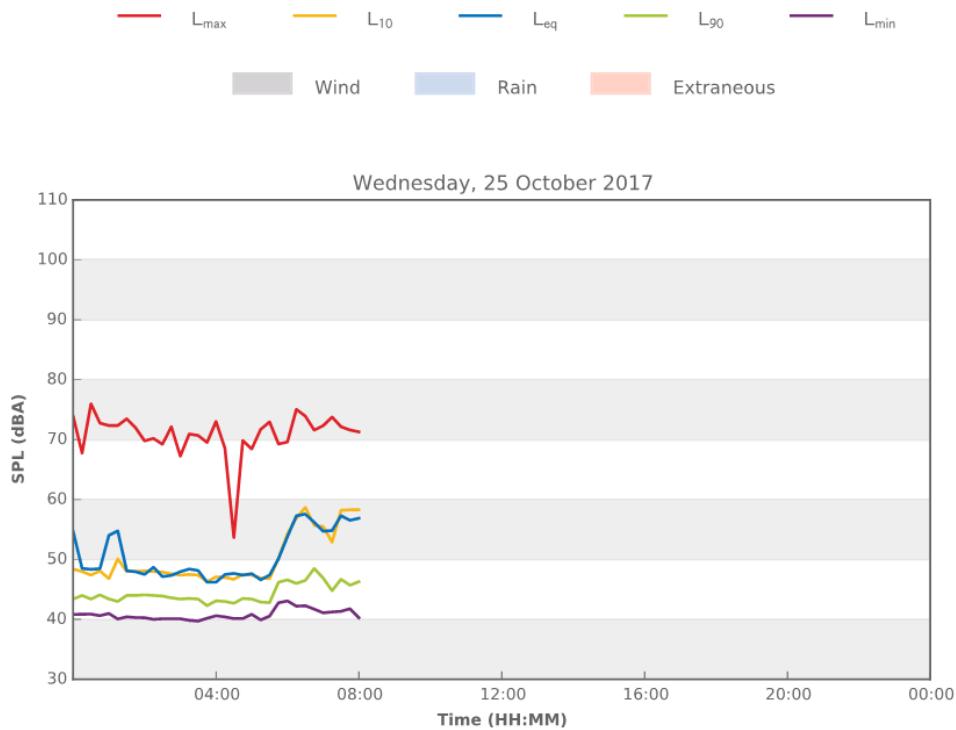
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123 Takalvan Street, Kensington

123 Takalvan Street, Kensington

RA6-N



Department of Infrastructure,
Local Government and Planning

Our reference: 1711-2479 SRA
Your reference: 525.2.107.2.1

8 December 2017

The Chief Executive Officer
Bundaberg Regional Council
PO Box 3130
BUNDABERG QLD 4670
development@bundaberg.qld.gov.au

Attention: Ms Erin Clark

Dear Ms Clark

Referral agency response—with conditions
(Given under Section 56 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of Infrastructure, Local Government and Planning (the Department) on 13 November 2017.

Applicant details

Applicant name:	ALDI Stores C/- Project Urban
Applicant contact details:	PO Box 6380 MAROOCHYDORE BC QLD 4558 info@projecturban.com.au

Location details

Street address:	123 Takalvan Street and 58 Johnston Street, AVOCA
Real property description:	Lot 1 on RP175009 and Lot 22 on SP166702
Local government area:	Bundaberg Regional Council

Application details

Development permit	Material Change of Use (Shop – Supermarket) and Operational Works (Advertising Device)
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1711-2479 SRA

Referral triggers

The development application was referred to the department under the following provisions of the *Planning Regulation 2017*:

- 10.9.4.2.4.1 State transport corridors and future State transport corridors

Conditions

Under Section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

The Department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Approved plans and specifications

The Department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Material Change of Use (Shop – Supermarket) and Operational Works (Advertising Device)				
<i>Proposed Site Plan (as amended in red by the Department of Transport and Main Roads on 30 November 2017)</i>	PA Architects	26 October 2017	Drawing No. DA-02	Revision D
<i>Site Based Stormwater Management Plan</i>	ACOR Consultants	30 October 2017	Reference No. BR170304	Issue 1

A copy of this response has been sent to the applicant for their information.

For further information please contact Peter Mulcahy, Principal Planning Officer, on (07) 4331 5603 or via email WBBSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Luke Lankowski
Manager (Planning)

cc ALDI Stores C/- Project Urban
info@projecturban.com.au

Department of Transport and Main Roads
WBBIDAS@tmr.qld.gov.au

enc Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Third party advice (Operational Works)
Attachment 5—Approved plans and specifications

1711-2479 SRA

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material Change of Use (Shop – Supermarket) and Operational Works (Advertising Device)		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – State transport corridors and future State transport corridors—The Chief Executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
In accordance with the approved plans		
1.	<p>Development must be carried out generally in accordance with the following plan/s and report/s, except as modified by these concurrence agency conditions:</p> <p><i>Proposed Site Plan</i>, Drawing Reference DA-02 Revision D, prepared by PA Architects, dated 26 October 2017 (as amended in red by the Department of Transport and Main Roads on 30 November 2017)</p>	Prior to the commencement of use and to be maintained at all times.
Stormwater management		
2.	<p>(a) The development must be in accordance with Site Based Stormwater Management Plan prepared by ACOR Consultants dated 30 October 2017, Reference BR170304 Issue 1 in particular:</p> <ul style="list-style-type: none"> - Stormwater flows to Takalvan Street are mitigated to pre-development flows as per results shown in table 8 of the Site Based Stormwater Management Plan; and - Construction of an on-site detention tank (within the subject site) as conceptually shown on ACOR Consultants Drawing No. C1.0-1DA Issue A dated 26 October 2017 <p>(b) RPEQ certification (with supporting documentation) must be provided to the District Director (Wide Bay/Burnett) within the Department of Transport and Main Roads, confirming that the development has been designed and constructed in accordance with part (a) of this condition.</p>	<p>(a) At all times.</p> <p>(b) Prior to the commencement of use.</p>
Vehicular access to State-controlled road		
3.	The road access location between Lot 1 on RP175009 and the State-controlled road is to be in accordance with the Decision Notice - Permitted Road Access Location made by the Department of Transport and Main Roads dated 8 December 2017 under Section 62(1) of the <i>Transport Infrastructure Act 1994</i> (TMR Reference: TMR17-02303).	At all times.
4.	Direct access is not permitted between the Isis Highway (Bundaberg-Childers) and Lot 22 on SP166702.	At all times.

1711-2479 SRA

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plan of development submitted with this application
- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state-transport corridor
- To ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road
- To ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road. Direct access to the state-controlled road is prohibited where not required

1711-2479 SRA

Attachment 3—Further advice

Decision about access under the <i>Transport Infrastructure Act 1994</i>	
1.	<p>The management of access between the state-controlled road and adjacent land is managed by the Department of Transport and Main Roads under the <i>Transport Infrastructure Act 1994</i>. Any road access location to the state-controlled road from adjacent land must not compromise the safety or efficiency of the state-controlled road.</p> <p>In this regard, any development application made under the <i>Planning Act 2016</i> which involves direct access to a state-controlled road is also taken to be an application for access under the <i>Transport Infrastructure Act 1994</i>.</p> <p>Please be advised that the Department of Transport and Main Roads has issued a decision about access and a copy of that decision is attached.</p> <p>For further information about this matter, please contact the Department of Transport and Main Roads' Bundaberg Office on (07) 4154 0200.</p>
Road Works Approval	
2.	<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 any road works, including road access works, on a state-controlled road.</p> <p>Please contact the Department of Transport and Main Roads on WBB.IDAS@tmr.qld.gov.au to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve.</p> <p>Please note the approval process will require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road access works approval process takes time – please ensure you contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

1711-2479 SRA

Attachment 4—Third party advice (Operational Works)

Proposed Development Permit for Operational Works (Advertising Device)	
1.	<p>The Department of Transport and Main Roads recommends that, should Bundaberg Regional Council issue a Development Permit for Operational Works for Advertising Device (Pylon Sign), the following conditions should be included:</p> <ul style="list-style-type: none">- Advertising device(s) must be designed and constructed in accordance with the Department of Transport and Main Roads' <i>Roadside Advertising Manual, Edition 2</i>, dated October 2017.
Proposed Advertising Devices and the <i>Transport Operations (Road Use Management Accreditation and Other Provisions) Regulation 2015</i>	
2.	<p>Section 139 of the <i>Transport Operations (Road Use Management Accreditation and Other Provisions) Regulation 2015</i> outlines certain actions that can be taken should a light or sign in, on, or near a road, or attached to a building or other structure in the vicinity of the road create a danger of traffic.</p> <p>Should the Department of Transport and Main Roads consider that a light or sign poses, creates a danger, or is a hazard to traffic on the state-controlled road, the Department of Transport and Main Roads may under Section 139, give written notice to the owner to have the Advertising Device removed or modified.</p>

1711-2479 SRA

Attachment 5—Approved plans and specifications

Our ref
Your ref
Enquiries

TMR17-023035
17212
Bryan Richters



Department of
Transport and Main Roads

8 December 2017

Decision Notice – Permitted Road Access Location
(s62(1) Transport Infrastructure Act 1994)

This is not an authorisation to commence work on a state-controlled road¹

Development application reference number 526.2017.2.1, lodged with Bundaberg Regional Council involves constructing or changing a vehicular access between Lot 1 RP175009 and Lot 22 SP166702, the land the subject of the application, and the Isis Highway [Bundaberg – Childers] (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

Applicant Details

Name and address

ALDI Stores C/- Project Urban
PO Box 6380
Maroochydore BC QLD 4558

Application Details

Address of Property

123 Takalvan Street, Avoca QLD 4670

Real Property Description

Lot 1 RP175009, Lot 22 SP166702

Aspect/s of Development

Development Permit for Material Change of Use (Shop Supermarket)
Development Permit for Operational Works (Advertising Device)

Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following conditions:

No.	Conditions of Approval	Condition Timing
1	The permitted road access location between Lot 1 RP175009 and the Isis Highway (Bundaberg – Childers) is about 3.6 metres west of the eastern property boundary of Lot 1 RP175009, generally in accordance with PA Architects' Drawing Number DA-02 Revision D dated 26 October 2017 as amended in red by the Department of Transport and Main Roads dated 30 November 2017.	At all times.
2	Direct access between Lot 22 SP166702 and the Isis Highway	At all times.

¹ Please refer to the further approvals required under the heading 'Further approvals'

No.	Conditions of Approval	Condition Timing
	(Bundaberg – Childers) is not permitted.	
3	Road access works comprising of an Urban Auxiliary Left-turn Treatment (AUL) and Commercial Crossover Standard must be provided at the permitted access location (specified in Condition Number 1), generally in accordance with: (a) Figure 8.6 of Austroads Guide to Road Design Part 4A: <i>Signalised and unsignalised intersections</i> ; (b) The Department of Transport and Main Roads' Plan Number D12-4B; and (c) The Department of Transport and Main Roads' <i>Road Planning and Design Manual 2nd Edition, Technical Standards and Standard Drawings Roads</i> .	Prior to commencement of use and prior to the commencement of operational work
4	The use of the Permitted Road Access Location referred to in Condition Number 1 is restricted to left in and left-out movements only.	At all times
5	The existing road access works situated about 31m north-east of the south-west property boundary of Lot 1 RP175009, as noted on PA Architects' Drawing Number DA-02 Revision D dated 26 October 2017 as amended in red by the Department of Transport and Main roads dated 30 November 2017 must be permanently closed and the footpath and kerb and channel be reinstated between the sealed pavement edge and the property boundary in accordance with Bundaberg Regional Council requirements.	Prior to commencement of use

Reasons for the decision

The reasons for this decision are as follows:

- (a) The management of access between a state-controlled road (Isis Highway) and adjacent land is managed by the Department of Transport and Main Roads under the *Transport Infrastructure Act 1994*.
- (b) The section of Isis Highway adjacent to Lot 1 RP175009 is declared as a Limited Access Road pursuant to Section 54 of the *Transport Infrastructure Act 1994*.
- (c) The Department of Transport and Main Roads' access policy aims to rationalise and reduce the number of access to limited access roads. Limiting access to one location to Isis Highway rationalises access to the state-controlled road network.
- (d) Constructing the road access works to the nominated standard will improve safe and efficient vehicle movements to/from the state-controlled road network.
- (e) To ensure the development does not adversely impact the safety, function and operational efficiency of the state-controlled road network.

- (f) Existing development on Lot 22 SP166702 achieves access via Johnston Street with no direct access to the Isis Highway.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

Information about the Decision required to be given under section 67(2) of TIA

There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.

In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

Further information about the decision

1. In accordance with section 67(7) of TIA, this decision notice:
 - (a) starts to have effect when the development approval has effect; and
 - (b) stops having effect if the development approval lapses or is cancelled; and
 - (c) replaces any earlier decision made under section 62(1) in relation to the land.
2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.
3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

Further approvals

The Department of Transport and Main Roads also provides the following information in relation to this approval:

- Road Access Works Approval Required – This notice does not constitute a Decision under Section 33 of the *Transport Infrastructure Act 1994* for works to commence within the state-controlled road. Separate written approval, in the form of an Approval to Commence Works Notice must be obtained from the Department of Transport and Main Roads prior to undertaking any works within the state-controlled road corridor.

Please note that the approval process will require the submission and approval of engineering design drawings for the works, certified by a Registered Professional Engineer of Queensland (RPEQ). For further information about this matter, please contact the Department of Transport and Main Roads' Bundaberg Office to ascertain what is required to make an application for road works approval.

If further information about this approval or any other related query is required, Mr Bryan Richters, Program Support Coordinator (Development Assessment) should be contacted by email at WBB.IDAS@tmr.qld.gov.au or on (07) 4154 0280.

Yours sincerely



Michelle Ballenger
A/Senior Town Planner

Attachments: Attachment A – Decision evidence and findings
Attachment B - Section 70 of TIA
Attachment C - Appeal Provisions
Attachment D – PA Architects Drawing Number DA-02 Revision D dated
26 October 2017 as amended in red by the Department of Transport
and Main Roads dated 30 November 2017.

Attachment A**Decision Evidence and Findings**Findings on material questions of fact:

1. The objective of the *Transport Infrastructure Act 1994* requires the establishment of a road regime that is safe and efficient.
2. The Isis Highway is a state-controlled road managed by the Department of Transport and Main Roads.
3. The section of Isis Highway abutting Lot 1 RP175009 is declared to be a limited access road pursuant to Section 54 of the *Transport Infrastructure Act 1994* on 5 May 1979.
4. Section 62 of the *Transport Infrastructure Act 1994* allows the Department of Transport and Main Roads to make decisions about permitted road access locations between particular/adjacent land and a state-controlled road.
5. There is no Section 62 decision in force for the subject site that would allow a permitted road access location between Isis Highway and Lot 1 RP175009 for the use proposed in Development Application Number 525.2017.2.1.
6. The Department of Transport and Main Roads policy about application of Section 62 of the *Transport Infrastructure Act 1994* to access between the Isis Highway and adjacent land identifies various locations where permitted road access locations may be supported in future.
7. Lot 22 SP166702 abuts both a state-controlled road (Isis Highway) and a local road (Johnston Street). Access to the existing development on Lot 22 SP166702 is solely provided via Johnston Street with no direct access to the Isis Highway.
8. The Isis Highway is the only road adjoining Lot 1 RP175009. The proposed development on Lot 1 RP175009, consisting of a Material Change of Use for Shop - Supermarket as detailed in Bundaberg Regional Council Development Application Number 525.2017.2.1, can be effectively implemented via a single, left-in/left-out access to the Isis Highway. Access via Johnston Street is not possible due to the built form of development on Lot 22 SP166702.
9. The right turn in movement to the Permitted Road Access Location (via a proposed CHR turn lane in the centre median) is not approved for the following road safety and transport efficiency reasons:-
 - The section of Takalvan Street abutting the land is a gazetted Limited Access Road. Minimising the number of access and conflict points on this road, in particular for priority controlled right turn movements across the major through road with high traffic volume, is necessary to ensure compliance with the purpose of State Code 1 of DILGP's *State Development Assessment Provisions*.
 - There is insufficient separation between the proposed CHR right turn lane and the existing right turn lane (at the traffic signals to the south) to enable drivers to perceive and react accordingly. Due to this limited separation, drivers will be confused as to

which turn lane to use resulting in driver hesitation and increasing the risk of rear end crashes. Takalvan Street at this location is a high speed (70km/h) and high volume road environment and minimising conflict points is required to ensure that the safety of road users on the state-controlled road is not compromised by adjacent development.

- The proximity of the proposed CHR turn lane to the Takalvan Street/Faircloth Crescent intersection will result in unacceptable vehicle weaving movements from Faircloth Crescent into the CHR turn lane. This may potentially result in additional U-turn movements, further contributing to the safety concerns for the additional conflict points associated with the proposed CHR turn lane.
 - It is inherently safer for traffic from the north (accessing the ALDI development) to perform a U-turn movement at the existing traffic signals (via a dedicated turn phase) than the proposed priority controlled movement.
10. Section 62(1)(g) of the Transport Infrastructure Act 1994 allows the Department of Transport and Main Roads to make a decision about road access works being a stated type, standard or extent or be constructed in a stated way.

Evidence or other material on which findings were based:

Title of Evidence/Material	Prepared by	Date	Reference	Version/ Issue
Transport Infrastructure Act 1994	Queensland Government	Current as at 28 August 2017	N/A	N/A
Road Gazette Notice for Isis Highway	Department of Transport and Main Roads	5 May 1979	--	--
Road Access Policy	Department of Transport and Main Roads	--	--	--
Proposed Site Plan as amended in red by the Department of Transport and Main Roads dated 30 November 2017	PA Architects	26 October 2017	Drawing DA02	D
Road Planning and Design Manual 2 nd Edition	Department of Transport and Main Roads	July 2013	N/A	2 nd Edition
State Development Assessment Provisions	Department of Infrastructure, Local Government and Planning	Effective from 11 August 2017	N/A	2.1
Confirmation Notice	Bundaberg Regional Council	10 November 2017	522.207.2.1	--
Traffic Report	Lambert & Rehbein	1 November 2017	B17418TR001_revB	B

Attachment B**Section 70 of TIA**

Transport Infrastructure Act 1994
Chapter 6 Road transport infrastructure
Part 5 Management of State-controlled roads

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
 - (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Attachment C**Appeal Provisions***Transport Infrastructure Act 1994*

Chapter 16 General provisions

485 Internal review of decisions

- (1) A person whose interests are affected by a decision described in schedule 3 (the *original decision*) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
 - (a) applies to the review; and
 - (b) provides—
 - (i) for the procedure for applying for the review and the way it is to be carried out; and
 - (ii) that the person may apply to QCAT to have the original decision stayed.

485B Appeals against decisions

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
 - (a) applies to the appeal; and
 - (b) provides—
 - (i) for the procedure for the appeal and the way it is to be disposed of; and
 - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
 - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and

- (b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.
- (5) The court may order—
 - (a) the appeals to be heard together or 1 immediately after the other; or
 - (b) 1 appeal to be stayed until the other is decided.
- (6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.
- (7) In this section—

original decision means a decision described in schedule 3.

reviewed decision means the chief executive's decision on a review under section 485.

Transport Planning and Coordination Act 1994
Part 5, Division 2 – Review of Original Decisions

31 Applying for review

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
 - (a) the notice did not state the reasons for the original decision; and
 - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

32 Stay of operation of original decision

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
 - (a) may be given on conditions the relevant entity considers appropriate; and
 - (b) operates for the period specified by the relevant entity; and
 - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.

(8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

relevant entity means—

(a) if the reviewed decision may be reviewed by QCAT—QCAT; or

(b) if the reviewed decision may be appealed to the appeal court—the appeal court.

35 Time for making appeals

(1) A person may appeal against a reviewed decision only within—

(a) if a decision notice is given to the person—28 days after the notice was given to the person; or

(b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

(a) the decision notice did not state the reasons for the decision; and

(b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.



Department of Infrastructure,
Local Government and Planning

Department of Infrastructure, Local Government and Planning

Statement of reasons for application 1711-2479 SRA

(Given under Section 56 of the *Planning Act 2016*)

Departmental role: Referral agency

Applicant details

Applicant name:	ALDI Stores C/- Project Urban
Applicant contact details:	info@projecturban.com.au PO Box 6380 MAROOCHYDORE BC QLD 4558

Location details

Street address:	123 Takalvan Street and 58 Johnston Street, AVOCA
Real property description:	Lot 1 on RP175009 and Lot 22 on SP166702
Local government area:	Bundaberg Regional Council

Development details and assessment matters

Nature of Approval	Level of Assessment	Development Description	Applicable State Development Assessment Provisions
Development Permit	Impact Assessable	Material Change of Use (Shop – Supermarket)	State Code 1: Development in a State-controlled road environment
Development Permit	Code Assessable	Operational Works (Advertising Device)	State Code 1: Development in a State-controlled road environment

Reasons for the Department of Infrastructure, Local Government and Planning decision

The reasons for the decision are:

- the proposed development does not create a safety hazard for road users or result in a worsening of operational performance of the state-controlled road and the surrounding road network
- the vehicle access for the proposed development is not considered to detrimentally impact on the safety and efficiency of the State-controlled road (via the inclusion of a condition removing the proposed channelised right turn lane from Takalvan Street into the subject site)
- the proposed development is not considered to create additional stormwater impacts on the State-controlled road (Takalvan Street)

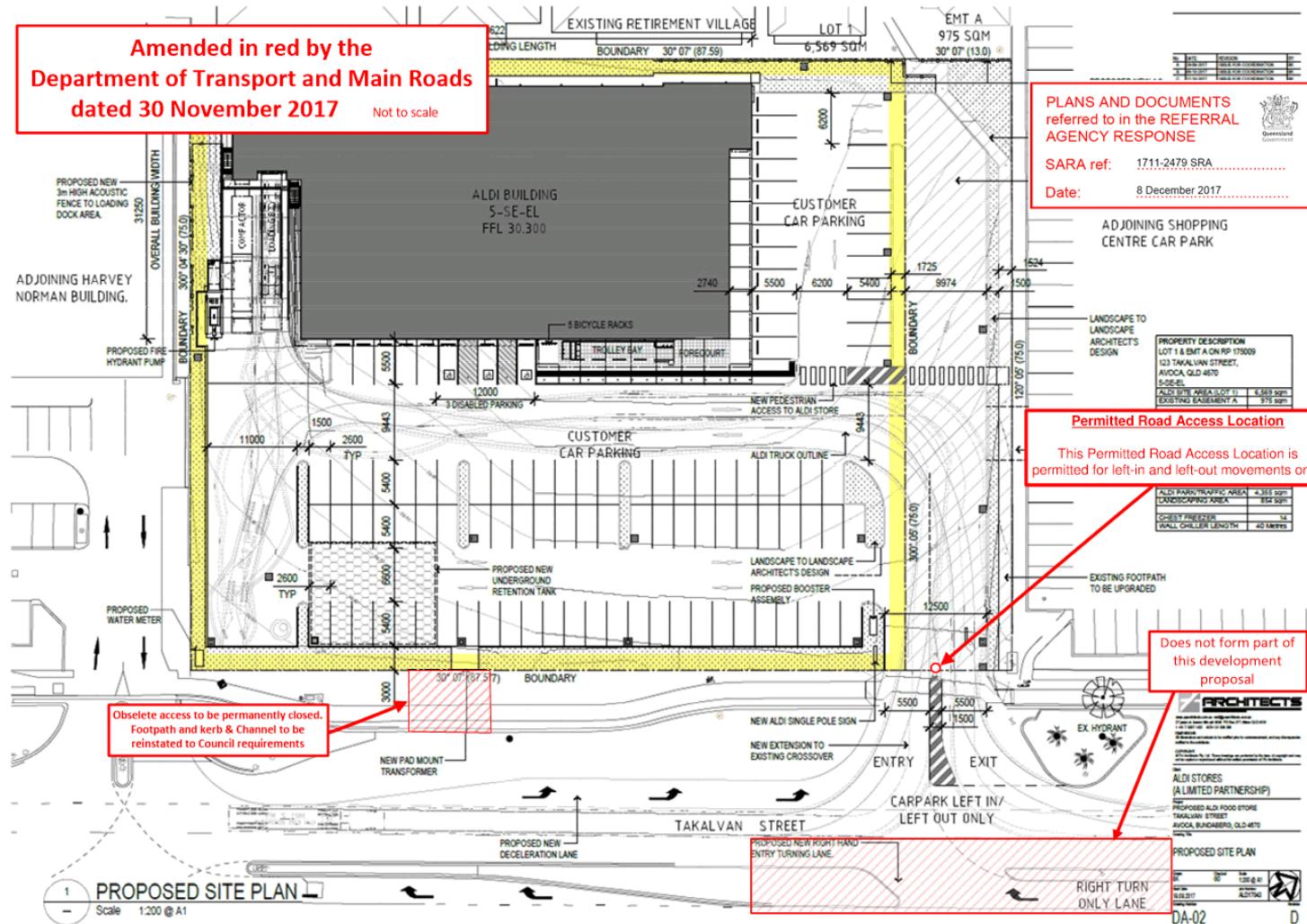
1711-2479 SRA

Decision:

- The development application is to establish a Shop (Supermarket) and Advertising Device on the subject site
- The Department has applied a condition to restrict vehicle movements associated with the proposed development to left-in/left-out only as the proposed right turn entry is considered to detrimentally impact on the safety and efficiency of the State-controlled road (taking into consideration that Takalvan Street is a high speed (70km/hr), high volume road and a designated limited access road under the *Transport Infrastructure Act 1994*)
- The proposed development has been designed to ensure that there is no actionable increase in stormwater discharge to Takalvan Street
- Advice has been provided to the applicant in relation to a separate approval for road works on a State-controlled road (Section 33 of the *Transport Infrastructure Act 1994*)
- Third party advice has been applied in relation to the Operational Works (Advertising Device) component of the development to ensure that there is no hazard or danger for road users

Relevant material:

- *Planning Act 2016*
- *Planning Regulation 2017*
- DA Rules
- State Development Assessment Provisions, Version 2.1
- common material





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 ABN 72 427 835 198

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Resolution (No. 1) 2015

To: Aldi Stores
 PO Box 6380 Maroochydore BC, Qld 4558

Date of Issue: 9/02/2018
Register No.: 331.2018.988.1

Land to which the Charge Applies

Address: 123 Takalvan St, 58 Johnston St, Avoca
 Property Description: SP166702/22 and RP175009/1

Development to which the Adopted Infrastructure Charge Applies

The adopted infrastructure charge applies to the following development type: Material Change of Use

Development Approval No.: 525.2017.2.1

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.

Total Adopted Infrastructure Charge applicable to this development =	\$164,235.00
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Total Offset applicable to this development =	n/a
--	------------

Total Amount Payable =	\$164,235.00
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(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.

Total refund applicable to this development =	n/a
--	------------

Refund is to be paid no later than:	n/a
--	------------

Payment of the Adopted Infrastructure Charge

- The **due date for payment** of the *adopted infrastructure charge* is:
 - before the change of use happens.
- 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:

- (a) 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 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
- (b) 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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Where: $\text{Smoothed PPI (paid date)} = \text{3 yearly smoothed PPI at time the charge is paid}$
 $= \text{average (12 previously published PPI figures relative to paid date)}$

$\text{Smoothed PPI (levied date)} = \text{3 yearly smoothed PPI at time the charge is levied}$
 $= \text{average (12 previously published PPI figures relative to levied date)}$

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:

$$\text{adopted infrastructure charge payable} = \text{levied charge} \times \text{automatic increase provision} \quad \dots \dots \dots (2)$$

Finally, if after applying the automatic increase provision the *adopted infrastructure charge payable* is:

- many, 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

INFRASTRUCTURE CHARGES ENQUIRIES
Enquiries regarding this infrastructure charges notice should be directed to Council's Development Assessment Team on telephone 1300 882 699 during office hours or e-mail: planner@hundaberg.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 ~~unpaid~~. STEPHEN JUGINTON, CHIEF EXECUTIVE OFFICER.

Richard Jenner
Development Assessment Manager



Applicant: Aldi Stores
 Address: PO Box 6380 Maroochydore BC, Qld 4558
 Site address: 123 Takalvan St, 58 Johnston St, Avoca
 Plan/Lot: SP166702/22 and RP175009/1

ADOPTED INFRASTRUCTURE CHARGES NOTICE
 SCHEDULE 1 – Calculation of Current Charges, Offsets and Refunds

Development Type: Material Change of Use
 Dev Approval No.: 525.2017.2.1
 Register No.: 331.2018.988.1

Prepared by: Gary Tremul
 Authorising Officer: Richard Jenner
 Inside PIA: Yes

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Adopted Infrastructure Charges: \$ 164,235.00
 Offset: n/a
 Refund: n/a

Total Amount Payable: \$ 164,235.00

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 m ² GFA	Charge per m ² impervious area	Dwellings or lots or bedrooms or tents or cabins	GFA (m ²)	Impervious Area (m ²)	Discount category	Discount	Subtotal
MCU	Existing credit	Fully Serviced	Accommodation (short term)	Short-term accommodation	\$ per 1 bedroom (<6 beds per room)	\$ (7,500.00)	n/a	n/a	23		n/a		0%	\$ (172,500.00)
MCU	New	Fully Serviced	Commercial (retail)	Shop	\$ per m ² GFA plus \$ per m ² impervious area	n/a	\$ 162.00	\$ 9.00		1740	6095	n/a		0% \$ 336,735.00
Adopted Infrastructure Charges Total:														\$ 164,235.00

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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			
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	-	-



Monday, 12 February 2018

Our Ref: 17212 / Office: Sunshine Coast
Council Ref: 525.2017.2.1

BUNDABERG REGIONAL COUNCIL
PO BOX 3130
BUNDABERG QLD 4670

ATTENTION: Erin Clark

Dear Erin

**DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (SHOP – SUPERMARKET) AND
OPERATIONAL WORKS (ADVERTISING DEVICE – PYLON SIGN)**

**123 TAKALVAN STREET, AVOCAS
LOT 1 RP175009**

Further to Council's correspondence dated 9 February 2018 please find below our written representations on the draft conditions

MATERIAL CHANGE OF USE – SHOP - SUPERMARKET

Condition 6

Prior to approval of building works for the development, submit to and gain approval from Council for a revised south- eastern elevation of the building incorporating materials or façade treatments that will enhance the Takalvan Street frontage.

Note: Compliance with this condition may include the provision of decorative screens, trellises, artwork, inclusion of glazing or material variation.

Condition 6 requires an unspecified amendment to the building elevation, but suggests decorative screens, trellises are the like. As a result, we will have to fix something directly to the building wall, which then becomes something that will require ongoing maintenance.

Would Council accept introducing a texture/pattern into the precast wall panels instead of just a plain flat wall? Could Council provide some clarification of what it will/won't accept in this regard?

Condition 8

Provide off-street car parking and vehicle manoeuvring areas with a minimum of 105 parking spaces and 2 dedicated loading bays. Such car parking, access and manoeuvring areas must be generally in accordance with the Approved Plans and be:-

- a. constructed and sealed with bitumen, asphalt, concrete or approved pavers;
- b. line-marked into parking bays;
- c. designed to include a manoeuvring areas to allow all vehicles to leave the site in a forward gear;
- d. designed to include the provision of fill and/or boundary retaining walls to allow for the containment and management of site stormwater drainage as required;
- e. sign posted to indicate entry/exit points, in addition to line marking, to indicate the traffic flow through the site;
- f. drained to the relevant site discharge point;

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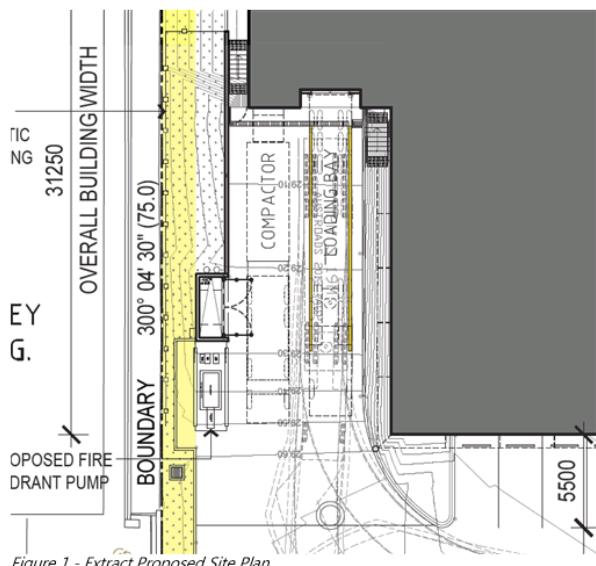
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- g. be available free-of-charge to staff and customers during operating hours; and
- h. designed in accordance with AS/NZS2890.1-2004: 'Parking Facilities Part 1: Off-street Car Parking'.

Condition 8 mentions two loading bays. Can Council clarify whether it is referencing that the plan shows the loading dock has provision for the delivery truck plus the compactor pickup adjacent? Is this satisfactory?



Condition 15

Pad mount 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.

Condition 15 says that the pad mount transformer is to be located in the road reserve. We currently have this behind our boundary in the landscaped area. Can you confirm whether this condition allows the relocation of the pad mount transformer into the existing road reserve or is Council indicating that the proposed location of the pad mount transformer be dedicated as road reserve? Is the location of the transformer satisfactory to Council?

Condition 29

All works must be carried out in accordance with section 6 'Conclusion' of the 'DA Noise Assessment' (report no: 00768-A Version B) by Acoustics and Air listed within this Decision Notice, with the exception of the following:

- a. Modification of the minimum surface density for the recommended acoustic barrier is to be increased to a minimum of 12kg/m²; and
- b. In addition to the 3.0m barrier on the loading dock and housed mechanical plant, the inclusion of a 2.0m High Acoustic Fence along the full extent (length) of the common boundary with the retirement village on Lot 22 on SP166702 as shown on the reference 'Notes: 1' on Figure 5-1 of the report.



The report must be resubmitted to the Assessment Manager incorporating the above amendments prior to the issue of any Development Permit for Building Works.

Condition 29 requires acoustic fence for the full length of the common boundary with the retirement village, rather than just part length as proposed by the acoustic assessment. Given that there is no noise source behind the building for the majority of this length it is not reasonable to require an acoustic fence to an area not generating noise. We request that Condition 29(b) be deleted.

Condition 34

After hours access to loading docks, storage areas must be restricted by a security gate, lockable doors and/or other suitably appropriate means.

Condition 34 requires lockable gates to the loading dock. Can Council clarify that the secure roller shutter is acceptable and that Council does not require any additional gates to what is shown on the proposed plans?

OPERATIONAL WORKS - ADVERTISING DEVICES

Condition 2

The approved signs must not exceed the dimensions and sign areas as shown on the Approved Plans as Sign 01 and Sign 03. Sign 02 does not form part of this approval.

Condition 2 excludes Sign 02 from the approval. Can Council clarify if Sign 02 & Sign 03 are correctly referenced or not. If so, why is Sign 02 excluded from the approval?

Should you have any questions with respect to the above, please do not hesitate to contact me direct.

Yours faithfully
PROJECT URBAN

A handwritten signature in black ink, appearing to read "Glen Wright".

Glen Wright
Director
Email: glen.wright@projecturban.com.au

**Item****27 February 2018**

Item Number:	File Number:	Part:
K3	522.2017.34.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

1B Targo Street, Bundaberg Central - Material Change of Use for Multiple Dwelling (12 residential units)

Report Author:

Erin Clark, Senior Planning Officer - Major Projects

Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Our Environment - 2.2 Sustainable built environments and local projects that support our growing population and promote economic investment and development.

Summary:

APPLICATION NO.	522.2017.34.1
PROPOSAL	Material Change of Use for Multiple Dwelling (12 residential units)
APPLICANT	Marina Quay Developments Pty Ltd C/- Insite SJC
OWNER	Marina Quay Developments Pty Ltd
PROPERTY DESCRIPTION	Lot 9 on SP187629
ADDRESS	1B Targo Street, Bundaberg Central
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Principal Centre Zone
OVERLAYS	Acid sulphate soils, Airport and aviation facilities, Flood hazard, Steep land, Coastal management
LEVEL OF ASSESSMENT	Code
SITE AREA	1916m ²
CURRENT USE	Vacant
PROPERLY MADE DATE	30 November 2017
STATUS	The decision period ends on 1 March 2018
REFERRAL AGENCIES	Department of Infrastructure, Local Government and Planning
NO. OF SUBMITTERS	Not Applicable
PREVIOUS APPROVALS	322.2007.18078.1

SITE INSPECTION CONDUCTED	20 December 2017
LEVEL OF DELEGATION	Level 3

1. INTRODUCTION

1.1 *Proposal*

This development application seeks a Development Permit for Material Change of Use for Multiple dwelling, at 1B Targo St, Bundaberg Central (described as Lot 9 on SP187629). The proposal involves the development of twelve (12) multi-level riverside units.

The proposed use is defined as ‘Multiple dwelling’ and is located in the ‘Principal centre’ zone—City centre riverfront precinct of the Bundaberg Regional Council Planning Scheme 2015; as such, the proposed development requires a Code Assessable application.

The proposal is for twelve (12) riverside multi-units that would be for permanent residential purposes. The proposed development has the following features:

- 3 storeys of residential units and 1 storey carpark;
- 12 x 3-bedroom units;
- 36 carparks including a designated disabled carparking bay;
- 4.8m wide vehicular access from Targo St;
- Pedestrian access from Targo St via the ground level carpark;
- Emergency exit to the RSL Lane;
- 1 x carwash bay;
- Dedicated waste bin area; and
- 2 x communal open space areas.

The open planned design allows the main living areas to open out to the private alfresco dining areas. The design of the building allows all units to take advantage of the views along the Burnett River and the open parklands and pathways. Access to each of the units would be via Targo St to the lift and stairwell located at the eastern and western end of the building. There is also an emergency exit to RSL Lane. Each unit would have a secure basement car parking space, with 23 additional car parking spaces for visitors. There are two open space areas at each end of the building located on the level which presents to the street (above the car parking level).

1.2 *Site Description*

The site has an area of 1916m² and a road frontage to the northern extent of Targo St of approximately 41 metres. The subject site is currently vacant and consists mostly of hardstand area with small pockets of vegetation/ garden beds at the front of the site and at the midpoint of the site.

The subject site currently has sealed access from Targo St and is adjacent to the RSL Lane that provides access to the RSL carpark to the west. There is a trunk pathway currently under easement benefiting Council that traverses the northern portion of the lot.

The subject site has access to Quay Street via Targo St and adjoins the Burnett River. The site has the benefit of uninterrupted views of the river to the east and west and is connected to the riverside pathways and open space areas of the riverfront precinct. Land contiguous to the east, west and south of the site is characterized by a mix of commercial, community, short-term accommodation and open space areas. The Bundaberg RSL and the Burnett Riverside Motel are the two most prominent buildings in the locality.

The subject site is serviced by overhead electricity and all of Council's reticulated services. The site drains naturally to the river in addition to the presence of a trunk stormwater main at the north-east corner of the site. The site falls north towards the river with ground contours at approximately 7.5m AHD to 3m AHD.

There are a number of additional easements traversing the site. The applicant has detailed that these easements have become redundant given the removal of previous uses (such as river access movements) and are no longer necessary. Advice from Baker O'Brien Toll Lawyers to this regard, supporting the suggested surrendering of these redundant easements (majority in favour of the landowner) has been provided with the application material.

2. ASSESSMENT PROVISIONS

2.1. Assessment Benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Zone Code: Principal Centre Zone	
Overlay Code <ul style="list-style-type: none"> • Acid sulfate soils overlay code • Airport and aviation facilities overlay code • Coastal protection overlay code • Flood hazard overlay code • Steep land (slopes > 15%) overlay code 	Bundaberg Regional Council Planning Scheme 2015
Use Code <ul style="list-style-type: none"> • Multi-unit residential uses code 	Bundaberg Regional Council Planning Scheme 2015
Other Development Code <ul style="list-style-type: none"> • Landscaping code • Nuisance code • Transport and parking code 	Bundaberg Regional Council Planning Scheme 2015

Benchmarks applying for the development	Benchmark reference
• Works, services and infrastructure code	
Planning Scheme Policy/ies	Bundaberg Regional Council Planning Scheme 2015
• Planning scheme policy for development works	
• Planning scheme policy for waste management	
• Interim Development Assessment Requirements	State Planning Policy

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

Principal centre zone code

It is considered that the proposed development generally complies with the relevant requirements of the zone code. In terms of land use composition, the applicant has noted that the proposed infill development is an efficient land use that provides an appropriate density with high level access to transport networks such as the State-controlled road network and a number of easily accessible pedestrian pathways along the riverfront, Quay St and into the CBD. It is considered that this a use of this type is appropriate in this location. The building is proposed to be located with good connectivity to the pedestrian and cycle network within the CBD and long the riverfront. It is noted that there are no bus stops in the vicinity of the development site. It is considered that the large number of publicly used pathways for pedestrians and cyclists (and associated car parking options), along with high level of services available to residents within a short-walk of the site will ensure that the needs of the residents can be conveniently met.

With reference to PO11, specific requirements for Precinct PCZ2, the proposed development provides for a use that will take advantage of the riverfront setting and adds to the mix of desirable uses for this precinct. Currently there are limited residential type uses in this area. The building, whilst not incorporating business uses to the ground floor (given its relatively removed location from a main street) does interact with the Burnett River and the city centre, presenting a ‘frontage’ to both. PO12 requires a height and built form that is compatible with the existing character and positively contributes to the streetscape, facilitating view to the Burnett River. The building meets these two Acceptable outcomes which relates to height and storeys for the area, however it is acknowledged that the introduction of three storey building is likely to impact on the views to the Burnett River. It is considered however the low-rise in the height (compared to a maximum allowable of nine storeys), the existence of a large tree on the site in front of the proposed building and the likely significant improvement to the streetscape by the development means that the proposed development has considered the existing character and will positively contribute to the streetscape of this area.

In addition, relevant development infrastructure can be accessed and integrated with existing connections. The establishment of an appropriate waste management service has been recommended in the conditions. When considered the continued operation of infrastructure in the area, the existing riverfront pathway must be considered. The development would not prejudice the future use of this pathway as the building footprint is not located over the footpath area. It is noted that some tenure issues exist however, which will be discussed in a later section of this report.

Multi-unit residential uses code

The proposal is considered to comply, or can be conditioned to comply with the requirements of this use code. In terms of site suitability, the lot is of an acceptable size (complies with AO1.1) and the development will be well sited and designed to take into account its CBD location with an attractive view. The new building will also make a positive contribution to a currently relatively underused section of the city and riverfront.

PO3 requires that the multi-residential use is sited and designed to consider the relationship of the building to the streets, public spaces and private open space. In this regard, the proposal does not meet the requirements of the Acceptable outcomes and therefore the PO must be considered. Whilst, a visibly clear pedestrian access is possible (and relevant conditions have been recommended), a semi-active frontage has not been provided at ground level. Whilst contributed to by the sloped ground levels and the irregular street frontage (it is a laneway to a car park), the building design as lodged was not conducive to casual surveillance of the street and adjacent parkland to this CBD frontage. In this regard, conditions have been recommended requiring amendments to the front block wall which presents along RSL Lane (also compliant with PO8). In terms of the frontage of the building to the Burnett River, this outlook does provide a semi-active frontage with all of the private open space directed towards the river, overlooking the public space. From this perspective, the car parking and building undercroft are proposed to be screened for safety and to reduce anti-social behaviour and unlawful access. The performance outcome (PO3) goes on to require that car parking areas and service/ plant equipment are not visually prominent. The development can comply in this regard, with the exception of the lift and stairwells which are enclosed and architecturally part of the frontage of the building. The design however in this regard does provide for articulation of the building and frontage and interest in form.

When considering building mass and composition, the use is to be sited and designed in a manner which maximises the existing vegetation, allows for landscaping between buildings and allows sufficient area at ground level for communal open space, site facilities, parking, landscaping and maintenance of a residential streetscape. The proposed stand-alone multi-unit residential does not comply with the Acceptable outcome 4.1, being in excess of 50% (55.26%) site coverage when exceeding 2 storeys. Therefore, with regard to corresponding PO4, there is minimal vegetation to retain, particularly given the large amount of hardstand present. There are no immediately adjacent buildings and therefore no landscaping has been proposed by the applicant between this building and the adjoining lots.

Additional low maintenance landscaping in this regard has been conditioned to ensure the surrounding area is not completely hardstand. The resident and visitor car parking

is to be provided to the basement/ below the building (suspended level) and the frontage is built to boundary and will include a retaining wall (partly existing for lot shaping) from the immediately adjacent laneway for the RSL. Communal areas have been provided to the ground floor and conditions have been recommended in relation to the increased landscaping and enhancement of the space in terms of outlook and casual surveillance (reducing fencing/ wall bulk). Sufficient area is provided for resident and visitor parking below ground (with pedestrian access/ front door also on this level) as the building is built into the side of the slope and street identification conditions are recommended accordingly. The building is separated from the street access by a void, which is recommended in the conditions to have a low maintenance treatment. As previously mentioned, the front retaining wall presents as a solid unbroken wall in excess of the stipulated maximum. In this regard, the conditions relating to building design and amendment of plans have been included. These will require the break up of these solid walls and introduction of 'green' walls or softening of the structure to improve the street presence and mass of the structures. Moreover, the proposed roof form complies with PO5, as it does provide visual interest to the building. It includes a parapet to each end, creating a point of difference from the middle roof which presents as a flat roof (small pitch).

PO6 relates to the relationship of the buildings to the street and adjoining premises. The context of the subject site means that the building will not have any immediately adjoining neighbours, with a public park to the front, river to the rear and car parking (RSL) and public access (Council managed) to either side. The proposed building does not meet the requirements for setbacks with the Acceptable outcomes. The building is built to boundary on the frontage, therefore does not comply with the minimum of 6m. The building is sufficiently setback from the rear (excess of 6m), however a public pathway is included in this setback (from the Burnett River). The proposed units are also built to boundary on the side boundaries (at some points) and therefore the proposal does not comply with the stipulated 3m. The corresponding PO6 therefore requires the that the residential use is sited and designed so as to provide amenity and privacy for uses and adjoining properties, adequate separation, allow for landscaping between and in front of buildings, access to prevailing breezes and sunlight and maintain the visual continuity within the street.

In this regard, the proposed development is sited appropriately to provide a high degree of privacy for the residents, given that the frontage of the building is for access only, not living areas, with all windows to living areas which face the adjoining lots to be screened by the feature screening on each end of the building, which is reflected in the recommended conditions. The private open space is located on the rear to take advantage of the views to the river, however to ensure privacy is located approximately 7m above the RL for the public footpath. In this regard however, additional provisions for privacy have been recommended in the conditions to the large windows facing the Burnett River for glazing or window height modification. Additionally, the proposed building is adequately separated from other existing uses. It is noted that reduced setbacks are often accepted in a CBD locality such as this.

Visual continuity and pattern of building within the street is difficult in this context as there are limited buildings in the immediate area. The site is surrounded by road reserve, public access paths, park and car parking. The closest buildings are the Bundaberg RSL building and the 'Midtown Marinas' building. When viewed from Quay

Street, the proposed development will be of a slightly larger scale and height (at three storeys) than these existing developments (at two storeys), however it is below the maximum allowable height and storeys for the zoning and locality to ensure that it will fit within the streetscape and will be sited amongst existing vegetation in the adjacent park land to the south and vacant site to the east. Overall, it is considered that the proposed development can meet the intent of PO6 by providing amenity to the users, separation from existing uses, access to breezes (private open space and communal areas) and considering the existing CBD streetscape.

Landscaping code

The purpose of the Landscaping code is to ensure that landscaping is provided in a manner which is consistent with the desired character and amenity of the Bundaberg Region through a number of overall outcomes and subsequent performance outcomes. It is considered that the proposal can comply with the requirements of the code, or can be conditioned to comply. This is to be achieved through an extensive landscaping condition requiring a number of improvements and provision of increased landscaping than that provided on original development plans. With specific reference to PO1, there is minimal vegetation on the site to be retained and the elevation and location of the lot results in minimal contribution to the existing street and locality. The proposed development provides for landscaping options to the ground level in communal areas and the site frontage commensurate with the climate and locality. Through the provision of a recommended condition, the development will also capitalise on views and vistas in these landscaped areas and the private open space provided overlooking the Burnett River.

Further, the public and private spaces are defined by the use of private terraces, however the 'public' space for the use only by occupants is on ground level. The proposed development promotes passive surveillance over the rear of the building to the existing public footpath by way of view from the terraces, however amendments to the frontage of the building have been recommended as conditions to ensure that a large blank wall that presents to the street and the public space is softened and bulk reduced to allow activation of the frontage. There is no streetscape landscaping proposed as difficulties exist with the contour levels to the street. In this regard, a separate condition has been recommended for the 'sealing' of the void that is presented between the proposed building and embankment from Council's roadway (RSL Lane) to ensure that flood conveyance is not affected and there are no future maintenance concerns.

The base of the building which presents to the Council pathway along the river does not include any landscaping (rear of building) as part of the proposal. This area would benefit from low maintenance landscaping which enhances the character and amenity of the site and recognises the recreational use of this feature/ condition unique to this locale. Landscaping of this nature (with consideration to CPTED principles) is also included in recommended conditions to improve this frontage presentation.

Coastal protection overlay code

The proposed development is included in the Erosion Prone Area, however not within the Coastal Management District (CMD). In this instance, the provisions of the Coastal protection overlay code are applicable. Performance outcome two (PO2) specifically

relates to the development within the Erosion Prone Area and the CMD, which is not applicable in this instance. Likewise, PO3 relates to essential community infrastructure and PO4 and PO5 relate to redevelopment. Despite this proposed development being for the initial development, rather a redevelopment it is pertinent to consider the requirements of the code to mitigate any risk to people and property from erosion impacts. In this regard, a condition has been recommended requiring the submission of a site specific geotechnical assessment prepared by a qualified person to address the impacts of the proposed development that includes the cutting / excavation of the south side of the RSL access laneway embankment and the impact / mitigation of both stormwater and flood water flows that could potentially flow between the embankment and the proposed developments southern wall. This recommended condition also meets the requirements of the steep land overlay code (applicable for the development).

Flood Hazard Overlay

This Flood hazard overlay code aims to ensure that new development does not put people and property at risk of flooding and/or storm tide inundation. Relevant performance outcomes have been considered to ensure the proposal demonstrates compliance with the code. Key outcomes include Performance outcome 4 (PO4) relating to siting and design of development to minimize risk to persons and property; PO5 for flood resilient building design and built form; PO6 Infrastructure and servicing; and PO9 which aims to ensure development does not result in direct, indirect or cumulative change in flood characteristics external to the development site. A significant level of proposal information is required to demonstrate that the subject land is capable of being developed in the manner proposed, whilst demonstrating satisfactory compliance with the code criteria.

Performance criteria four PO4 of the Flood Hazard Overlay Code states that a development is 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 proposed building structure locates below the river banks. The applicant's submitted supporting engineering documents detail that prefabricated screens will be fitted to the lower undercroft area. However at this stage of development it did not document how damage to the property will be avoided or minimised. Therefore, appropriate conditions have been recommended to require that the building must be designed such that it will withstand potential damage from expected flood events in a manner that avoids the potential risk of damage from flooding. The building foundations must be designed to provide resilience against scour and the forces of flood water and debris impact loadings.

Moreover, the proposed development can be conditioned to meet one of the relevant acceptable criteria of this requirement (AO4.3) in the provision of appropriate emergency evacuation plan. This evacuation plan is based upon a staged evacuation of the basement when water intersects the building footings (at approximately RL3.0m) and the occupants of the buildings when the water intersects the basement (at approximately RL7.0m). This approach will ensure that the risk people becoming trapped in the basement attempting to move their vehicles is minimised. Likewise, the

early evacuation of vehicles can reduce the potential for structural damage to the building due to vehicles being swept away. Similarly, this approach will also mean that the evacuation of residents will only occur when a defined event is imminent. It is noted that data from the previous 2013 event showed that the time elapsed between 6.1m and 9.5m flood heights was approximately 48 hours, which should allow enough time for the evacuation of occupants in a similar event.

The relevant building assessment provisions under the *Building Act* 1975 are noted within the overlay code criteria, including QDC MP3.5 – Construction of Buildings in Flood Hazard Areas, will apply to building work within a Flood Hazard Area. This statement is also provided as an Advice Note to the applicant. In addition, a condition has been recommended that for public safety, emergency exits are to be included in the basement area, particularly in the event of inundation.

Performance outcome 5 (PO5) relates specifically to built form and design of the building. The correlating Acceptable outcome 5.1 requires that the finished floor level of all habitable rooms is at or above the flood hazard level (FHL). The proposed development complies with this requirement with the habitable floor level at approximately 1m about the flood hazard level. Likewise, the non-habitable floors below this are to accommodate parking and low intensity uses. A condition relating to the use of the basement is recommended accordingly.

Performance outcome 9 (PO9) is considered by allowing conveyance of flood water through the car parking areas and thereby not negatively impacting on the overall hydraulics and flood capacity of the watercourse and not practically reducing the volume of the site's flood storage area. A condition is included that the design for the building, site drainage system, fill, car parking and access must be undertaken so that flows from adjacent properties will not be impeded by the development and the flood levels external to the site are not affected.

Public access and Principal Pathway

The subject site includes the provision of a Principal Pathway to the riverfront area as part of the Local Government Infrastructure Plan (LGIP). Additionally, the ability for the public to access this pathway and the riverfront land is a consideration. A condition has been recommended in relation to land dedication for the provision of this pathway and the continuing public access. In response to the applicant's representation on the draft conditions, section 127(2) of the *Planning Act* provides for local government to be able to impose particular development conditions on the development approval if trunk infrastructure is or will be located on the subject premises, whether or not the infrastructure is necessary to service the subject premises.

This type of condition is taken to comply with the referenced section 65(1) of the Act if the provision of the infrastructure is not considered to be an unreasonable imposition. In this regard, it is considered that the continuation of (or future works to) an existing public path that has been considered in the proposal plans and development design allowing continued public access to the major recreation area is not an unreasonable imposition. The value of the land is offsettable as trunk infrastructure on any infrastructure charges levied. It is also considered that the existing easements on this lot do not ensure the appropriate ongoing use of the pathway in their current form, noting that the path currently sits outside of the easement. The area recommended for

dedication is the land immediately adjacent to the Burnett River for the purpose of park and recreation, measured 1.5m from the outermost projection of the building, including the fire booster. The dedication is sought in freehold to provide greater scope for Council to provide improved embellishments for the principal pathway consistent with those existing nearby.

Existing Infrastructure

The building footprint impacts on power supply poles and infrastructure that supplies Council's footpath lighting, and will need to be redirected, relocated or put underground. A condition has been recommended in this regard to be addressed prior to the commencement of construction.

Bureau of Meteorology (BOM) flood measuring infrastructure is also located on the site, consisting of three (3) manual staff gauges. These will also require reinstatement and a condition has been recommended accordingly. There is also a BOM capillary line connecting automatic gauge station located in the nearby park on Targo Street to the Flood instrumentation located in the Burnett River north of the proposed development frontage. Although appearing to be just clear of the proposed works it is a critical piece of infrastructure that must not be damaged. An Advice note has been included to this effect.

4. REFERRALS

4.1 Internal Referrals

Advice was received from the following internal departments:

Internal department	Referral Comments Received
Development Assessment - Engineering	25 January 2018
Water and Wastewater	6 December 2017

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agency

Referral Agency responses were received from the following State agencies:

Agency	Concurrence/ Advice	Date Received	Conditions Yes/No
Department of Infrastructure, Local Government and Planning	Concurrence	22 December 2017	No

Any significant issues raised have been included in section 3 of this report.

5. PUBLIC NOTIFICATION

Not Applicable.

6. DRAFT CONDITIONS

Draft conditions were issued to the Applicant on 2 February 2018.

The Applicant submitted representations to Council on 8 February 2018 relating to the following draft conditions:

- Condition 16 (Land Dedication)
- Condition 25 (Existing structures and services)
- Condition 28 (Existing structures and services)
- Condition 29 (Existing structures and services)
- Condition 33 (Flood Management)
- Condition 45(a) (Privacy)

After a review of the submitted representations, the following conditions have been amended:

- Condition 25 (Existing structures and services) – Amended
- Condition 28 (Existing structures and services) – Amended
- Condition 29 (Existing structures and services) – Amended
- Condition 33 (Flood Management) – Amended
- Condition 45(a) (now condition 46(a)) (Privacy) – Amended

The following conditions have remain unchanged:

- Condition 16 (Land Dedication)

7. REASONS FOR DECISION

The reasons for this decision are:

- The subject site is located within the Principal centre zone.
- The proposed multiple dwelling use is consistent with the intent for this zone.
- The development complies with the requirements, or can be conditioned to comply with, the relevant applicable assessment benchmarks of the planning scheme.
- The proposed development will not adversely impact upon the amenity of the adjoining uses.
- The proposed development provides a high level of residential amenity proximate to the Bundaberg CDB.
- The proposed development, through the inclusion of reasonable and relevant conditions, can comply with the requirements of the Flood hazard overlay code to ensure that new development does not put people and property at risk of flooding and/or storm tide inundation.
- The development will provide Trunk Infrastructure identified in the Priority Infrastructure Plan (PIP) and draft Local Government Infrastructure Plan (LGIP).

Communication Strategy:

[Explanation of section – In addressing this section, the Communications Team must be consulted on all reports to determine whether a communication strategy is required]

Communications Team consulted. A Communication Strategy is:

- Not required
- Required

Attachments:

- [↓1 Locality Plan](#)
- [↓2 Site Plan](#)
- [↓3 Approval Plans](#)
- [↓4 DILGP Referral Agency Response](#)
- [↓5 AICN](#)
- [↓6 Applicant's Draft Conditions Representations](#)

Recommendation:

That the Development Application 522.2017.34.1 detailed below be decided as follows:

1. Location details

Street address: 1B Targo Street, Bundaberg Central
Real property description: Lot 9 on SP187629
Local government area: Bundaberg Regional Council

2. Details of the proposed development

Development Permit for Material Change of Use for Multiple Dwelling (12 Residential Units)

3. Decision

Decision details:

Approved in full with conditions. These conditions are set out in Schedule 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material Change of Use				
Site Layout Plan	ASCOT Commercial and Industrial	13.02.2018	BP-05 –SK001	D
Carpark Floor Plan	ASCOT Commercial and Industrial	13.02.2018	BP-05 –SK002	D
Ground Floor Plan	ASCOT Commercial and Industrial	13.02.2018	BP-05 –SK003	D
First and Second Floor Plan	ASCOT Commercial and Industrial	13.02.2018	BP-05 –SK004	D
Elevation Sheet 1 (East Elevation and West Elevation)	ASCOT Commercial and Industrial	13.02.2018	BP-05 –SK005	D
Elevation Sheet 2 (North Elevation and South Elevation)	ASCOT Commercial and Industrial	13.02.2018	BP-05 –SK006	D
Typical Section and Typical Section 2	ASCOT Commercial and Industrial	13.02.2018	BP-05 –SK007	D
3D Views Sheet 1	ASCOT Commercial and Industrial	13.02.2018	BP-05 –SK008	D
3D Views Sheet 2	ASCOT Commercial and Industrial	13.02.2018	BP-05 –SK009	D

5. Conditions

This approval is subject to the conditions in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

6. Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work
- All Plumbing and Drainage Work
- All Operational Work

7. Properly made submissions

Not applicable — No part of the application required public notification.

8. Referral agencies for the application

The referral agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
State-controlled road Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1	Department of Infrastructure, Local Government and Planning	Concurrence Agency	State Assessment and Referral Agency (SARA) <i>E:</i> WBBSARA@dsdip.qld.gov.au <i>P:</i> PO Box 979

<i>Making a material change of use of premises if any part of the premises:</i> (a) Is within 25m of a State-transport corridor; or (b) Are a future State transport corridor; or (c) Are – a. Adjacent to a road that intersects with a State controlled road; and b. Within 100m of the intersection		Bundaberg Qld 4670
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9. Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

10. Agreements under Section 49(4)(b) or 66(2)(b) or (c) of the Planning Act 2016

There are no agreements about these matters.

11. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see Schedule 1 of the *Planning Act 2016*.

Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*.

Schedule 2 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

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 commencement of the use, unless otherwise stated within this notice, and maintain compliance whilst the use continues.

Air Conditioners

4. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages or adjoining properties.
5. Air conditioning units must be designed, installed, maintained and operated so that noise emissions are within the limits imposed by the *Environmental Protection Act, Regulations and Policies*.

Amended Plans

6. Submit to and have approved by the Assessment Manager amended plans which incorporate the following:
 - a. Breaks, openings, and softening architectural features such as a green wall, to reduce the bulk of the solid wall on the site frontage shown on the Northern Elevation presenting to RSL Lane;
 - b. Breaks and openings, such as the inclusion of glass panelling, to the rendered walls of the common areas (courtyards) on the ground level (where non-structural); and
 - c. Internal staircases to connect the approved building to the open space below (this may be for private use only); and
 - d. Provision of delineated pedestrian pathway from the entrance of the building to the intersection of Targo Street and RSL Lane to ensure safe pedestrian movement.

Once approved, the amended plans will form part of the Approved Plans for this development.

Building Design and Setbacks

7. All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as shutters, louvres, glass panelling or the like, except where required to satisfy any privacy condition of this Decision Notice.
8. The 'selected aluminium feature screens' shown on the approved plans must remain a design feature to ensure privacy to habitable windows. No reduction in screening capacity (i.e. increase in transparency) is permitted.
9. On the site frontage, for a minimum distance of 20m from the corners (measured from the western and eastern boundary point), breaks and openings are to be incorporated into the solid block wall on the site frontage shown on the Northern Elevation presenting to RSL Lane. *Note: The inclusion*

of traditional fencing panels (minimum 25% transparency) may be used to address this requirement.

10. Softening architectural features, such as a green wall or visual art, are to be incorporated to the wall presenting to the full site frontage (southern boundary to RSL Lane).
11. Architectural treatment is to be provided to the pedestrian street entrance from Targo Street.

Car Parking

12. Provide off-street car parking and vehicle manoeuvring areas with a minimum of 36 parking spaces and 1 dedicated carwash bay. Such car parking, access and manoeuvring areas must be generally in accordance with the Approved Plans and be:-
 - a. constructed and sealed with bitumen, asphalt, concrete or approved pavers;
 - b. line-marked into parking bays;
 - c. designed to include a manoeuvring areas to allow all vehicles to leave the site in a forward gear;
 - d. designed to include the provision of fill and/or boundary retaining walls to allow for the containment and management of site stormwater drainage as required;
 - e. sign posted to indicate entry/exit points, in addition to line marking, to indicate the traffic flow through the site;
 - f. drained to the relevant site discharge point and;
 - g. designed in accordance with AS/NZS2890.1-2004: 'Parking Facilities Part 1: Off-street Car Parking'.

Construction Management

13. Unless otherwise approved in writing by the Assessment Manager, do not undertake building work in a way that makes audible noise:
 - a. On a business day or Saturday, before 6.30am or after 6.30pm; or
 - b. On any other day, at any time.
14. Contain all litter, building waste and sediments on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or roads.
15. Remove any spills of soil or other material from the road or gutter upon completion of each day's work, during construction. These material spills and accumulated sediment deposits must be managed in a way that minimises environmental harm and/or damage to public and private property.

Land dedication

16. Before the use commences, the land immediately adjacent to the Burnett River is to be dedicated to Council for the purpose of park and recreation (measured 1.5m from the outermost projection of the building, including the fire booster). Any easements no longer required are to be surrendered prior to this.

Earthworks

17. Any placement of fill material with the subject land must comply with the relevant Planning Scheme codes. All fill material placed on the subject site must be tested and structurally certified, and must allow for any overland stormwater flows from adjacent properties.
18. Any material removed from site must comply with the *Environmental Protection (Waste Management) Regulation 2000* and Bundaberg Regional Council's waste disposal procedures.
19. Provide a site specific geotechnical assessment prepared by a qualified person to address the impacts of the proposed development that includes;
 - a. Cutting / excavation of the south side of the RSL access laneway embankment and
 - b. The impact / mitigation of both stormwater and flood water flows that could potentially flow between the embankment and the proposed developments southern wall.

The assessment report must address the geotechnical impacts during both the construction and operational life of the development and comply with all of the relevant provisions of the Steep land overlay code, Coastal Management overlay code and the Flood hazard overlay code of the Bundaberg Region Planning Scheme 2015.

20. Once approved by the Assessment Manager, all development and site works are to be undertaken and maintained in accordance with the site specific geotechnical assessment.

Easements

21. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.
22. Ensure that any easements and rights pertaining to the parcels of land associated with this approval are maintained unless otherwise stated on the Approved Plans 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.

Electricity, Street lighting and Telecommunications

23. Provide electricity service to the development under standard tariff conditions and without further capital contributions by supplying all necessary materials, including structures and equipment, and performing all necessary works.
24. 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.

Existing structures and services

25. Unless otherwise approved in writing by the Assessment Manager, the developer cannot commence construction until the existing plaque on the site for the 'James Charles Burnett Walkway' has been relocated by the asset owner.
26. Ensure all existing and proposed utility services and connections (eg. electricity, telecommunications, water and sewerage) are wholly located within the lot they serve.
27. Certification must be submitted to the Assessment Manager from an appropriately qualified person which certifies that:
 - a. all constructed access and roadwork (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement;
 - b. all existing and proposed utility services and connections (eg. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve, or alternatively included within an easement where location within the lot is not possible;
 - c. all retaining walls and structures are fully contained within the lot they retain; and
 - d. any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties.
28. Ensure all three (3) existing Manual Flood Gauges located within the proposed building footprint are relocated to the satisfaction of the asset owner.
29. Ensure the existing overhead electricity supply and associated infrastructure (including cameras) located within the proposed building footprint is removed prior to the commencement of construction to the satisfaction of the asset owner. *Note: The electricity infrastructure may need to be placed underground.*

Flood Management

30. Position electrical and data equipment, including switchboards, power points and light switches, above the Defined Flood Level (DFL).
31. Plant and equipment (excluding lift/ elevators) are not to be located in the basement, where possible, to reduce risk of damage in a flood event.
32. A personal exit door must be incorporated into the basement area at each end of the building to allow emergency exit.
33. In the event of a flood, vehicles (and any relevant equipment) must be evacuated when the flood waters breach the building footprint, being the footings of building at approximately RL3.0m.
34. In the event of a flood, the occupants of the approved building must be evacuated when the flood waters breach the building basement level at approximately RL7.0m.
35. Personal storage cages and fixed structures are not to be erected in the basement area.
36. A Flood Evacuation Plan must be submitted to and approved by the Assessment Manager prior to the commencement of the use. The plan must demonstrate how people and vehicles may be evacuated from the site to a safe gathering point above the defined flood level and must include, but not be limited to, the following features:
 - a. The defined flood level for the site;
 - b. The river height at which the property floods;
 - c. The evacuation route from the property to an evacuation centre/point and the method by which staff and residents will be transported;
 - d. The estimated time required to reach an evacuation centre;
 - e. The forecast river height/level at which to evacuate in accordance with the above requirements (Bundaberg City Gauge);
 - f. Information availability/where flood warnings will be acquired from;
 - g. The appointment of a site flood coordinator who will disseminate information to staff and residents;
 - h. Procedures for assisting those with a disability or who do not speak English;
 - i. A contact information collection process for all current staff and residents;
 - j. A plan showing primary and secondary evacuation routes and assembly areas for the building; and
 - k. An agreed method of how the evacuation information and flood warnings will be distributed to the occupants of the building.

The approved Flood Evacuation Plan must form part of any community management statement for the building.

37. Display floor plans showing evacuation routes and exits in prominent locations throughout the building. The manager/operator of the facility is to have access to, and a detailed understanding of, their obligations/requirements under the Approved Flood Evacuation Plan.
38. The minimum habitable floor level must be 300mm above the defined flood level of RL 9.45m AHD.
39. Ensure materials stored on-site, where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood or are readily able to be moved in a flood event.
40. No bulk storage of hazardous material below the defined flood level is permitted, including storage within the basement.

Landscaping

41. A landscape plan must be submitted to and approved by the Assessment Manager prior to the commencement of any landscaping works. The plan must be generally in accordance with the Approved Plans, 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. Location and name of existing trees;
 - c. A plan and schedule of all proposed trees, shrubs and ground covers which identifies:
 - a. The location and sizes at planting and at maturity of all plants;
 - b. 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;
 - d. The location of all areas to be covered by turf or other surface material including pavement and surface treatment details;
 - e. Measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;
 - f. Details of any landscaping structures, including entrance statements;
 - g. Details of cutting and filling and all retaining structures and fences and associated finishes;
 - h. Contours or spot levels if appropriate;
 - i. Fence size and materials;

- j. Inclusion of a controlled underground or drip irrigation system. Any such system is to be fitted with an approved backflow water prevention device;
 - k. Location of any drainage, sewerage and other underground services and any overhead power lines;
 - l. Property boundary garden/landscape bed edge walls must be provided with sleeper or equivalent retaining walls to contain the garden material within the site. Such walls must be constructed to a height that is at or above the adjacent kerb or sealed car parking areas;
 - m. landscaping to the street entry of the building (where not interfering with vehicle movements), including an entry statement planting;
 - n. sealing (or provision of low maintenance option) of the embankment void between the approved building and the frontage to RSL Lane;
 - o. increased landscaping to the common areas at the end of the approved building (east and west) to provide a feature for residents/ visitors, including a minimum of 50% in non-hardstand area. *Note: This landscaping is to be included in conjunction with the amendments to reduce building bulk in this location and must consider viewpoints to the Burnett River,*
 - p. landscaping to the front of the building (presenting to RSL Lane) to a minimum width of 1.2m. This landscaping is to enhance the building frontage. *Note: This landscaping is to be included in conjunction with the amendments to reduce building bulk in this location.*
 - q. Vegetated screening of any electrical transformers, bin storage areas and the like from the road frontage;
 - r. A minimum 2.0 metre wide landscaping strip along the Burnett River frontage of the approved building, exclusive of any access points, uncompromised by infrastructure items. The landscaping is to be low maintenance and consider CPTED principles for public safety, avoid concealment opportunities.
42. Complete landscaping shown on the endorsed plans prior to the commencement of the use and maintain all landscape works in accordance with the Approved Plan whilst the use continues.

Lighting

43. External lighting used to illuminate the premises must be designed and provided in accordance with Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.

Maintenance of building/ site

44. The developer is to be responsible for the maintenance of all areas of the site in a tidy, clean and safe manner, including the building undercroft, aluminium

screens to the car park and footings level and voids to the front and sides of the building, including below the common areas on either end of the building.

Mail Service

45. Provide one (1) letterbox for each unit. Such letterboxes are to be suitably grouped adjacent to the footpath and constructed of materials consistent with the character of the development.

Privacy

46. To ensure privacy is protected from public access areas and pathways, the large window located on the northern building face of each unit must either:
 - a. be fitted with translucent glazing; or
 - b. be fitted with a fixed external screen.
47. To ensure privacy is protected from the common areas, any windows located on the eastern and western building faces (end of building) of Apartment 1 and Apartment 4 must either (in addition to the screening proposed):
 - a. have a minimum window sill height of 1.7 metres above floor level;
 - b. be fitted with translucent glazing.

Property access & driveways

48. Driveways to the development must comply with the standards specified in the *planning scheme policy for development works – driveways and access to developments*. The specific requirements must be determined as part of the Operational Works application.

Street Identification

49. The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and, where appropriate, the building name.
50. The building entrance or reception area must be clearly visible and identifiable from the street or otherwise provided with signage and lighting at strategic locations to direct people to the building entrance.

Water

51. Provide a metered service, and internal infrastructure as required, to satisfy the fire fighting and water supply demands of the proposed development.
52. Provide a reticulated water supply service to each lot by supplying all necessary materials, including structures and equipment, and performing all necessary works. The works must include all necessary upgrades of Council infrastructure to ensure that downstream properties are not adversely affected by the increased demand of the development. Works must include network

modelling with main sizing to be finalised as part of an application for Operational Works.

53. Install sub-meters in accordance with the relevant Acts and Codes. Arrangements for the installation of any metered service and sub-meters, or removal of an existing service, are to be made with Council's Operations Centre. All works are to be undertaken by Council at the Developer's expense.

Sewerage

54. Make provision for a new sewerage connection suitable to meet the requirements of the development. All live sewer work, including the point of connection, must be undertaken by Council.
55. Provide a reticulated sewerage service the development by supplying all necessary materials, including structures and equipment, and performing all necessary works. The sewerage specifics must be determined as part of an application for Operational Work.
56. All live sewer work, including the main replacement and new sewer point of connection, are to be undertaken by Council at the Developer's expense;

Stormwater

57. Install a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - a. The works shown on the Approved Preliminary Plans (Concept Stormwater Management Plans (41-30978 SK001 and SK002)) as described in section 2 Stormwater Management Plan of GHD Supporting Engineering Reports letter dated 29 November 2017.
 - b. Stormwater drainage must be designed and constructed in accordance with the requirements of the Queensland Urban Drainage Manual and Bundaberg Regional Council, i.e., a piped system with a capacity to cater for Q10 ARI flows, with overland flowpaths to be provided for a capacity of Q100ARI (including global warming and climate change to 2100) less piped flow;
 - c. Upon completion of the development, the Developer must supply a certificate from a Registered Professional Engineer of Queensland confirming that the development has been constructed in accordance with the approved plans and that the buildings have been structurally designed and constructed to withstand the extreme event stormwater loads during a flood event. *Note: The applicant is to utilise the Bridge Design Code.*
 - d. extension of the site stormwater system to accommodate stormwater from external to the site, including registration of any drainage easements;

- e. The design for the site drainage system, fill, car parking and access must be undertaken so that flows from adjacent properties will not be impeded by the development;
- 58. 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.
- 59. The drainage system for the development should incorporate stormwater quality improvements.

Waste Management

- 60. Provide a sufficient area for the storage of all waste bins. This area must be sealed, screen fenced and designed so as to prevent the release of contaminants to the environment.
- 61. Maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause any nuisance, to the satisfaction of the Assessment Manager.
- 62. The bin storage enclosure must be maintained in a clean and sanitary manner at all times.
- 63. Ensure that any potential food / waste sources are covered and collected so that they are not accessible to wildlife.

PART 1B – ADVICE NOTES

Environmental Harm

- A. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction and operational phases of this development, are to adhere to their ‘general environmental duty’ to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the

emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

Fencing

- B. Should any existing fence not comply with the requirements of this approval, the existing fence must be replaced in accordance with the requirements of this approval.
- C. Fencing should be undertaken in accordance with the provisions of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*. This includes appropriate mediation practices and agreements regarding the type of materials, location and retrieval of any materials for any fence removed.

Flood Evacuation Plan

- D. In order to protect and/or minimise the damage to property and aid in business continuity post-flood, a flood preparation checklist may be included in the Flood Evacuation Plan for the development which addresses matters such as:
 - a. The preparation of an emergency flood kit;
 - b. The packing of critical documentation (legal, financial, insurance) in a waterproof container;
 - c. The backing up of critical data to a portable storage device and its storage in a safe place;
 - d. Raising of items to a higher level;
 - e. Securing hazardous items (e.g. gas bottles);
 - f. Moving or elevating dangerous items (e.g. chemicals);
 - g. Switching off electricity at the switchboard;
 - h. Turning gas and water off at the meter; and
 - i. Blocking toilet bowls and covering drains with a strong plastic bag filled with earth or sand.

Infrastructure Charges Notice

- E. Please find attached the Infrastructure Charges Notice (Ref No.: 331.2018.985.1) applicable to the approved development.

Nature and Extent of Approved Development

- F. This Decision Notice does not represent an approval to commence Building Works.

Infrastructure

- G. A BOM capillary line connecting automatic gauge station (located in the nearby park on Targo Street) to the Flood instrumentation (located in the Burnett River north of the proposed development frontage) is in close proximity of the development site. Although appearing to be just clear of the proposed works, it is a critical piece of infrastructure that must not be damaged.
- H. Manual Flood Gauges located within the proposed building footprint are the asset of Bureau of Meteorology, National Observing Observations. The developer is to engage with this owner for their removal.
- I. The Bundaberg CBD locality is currently undergoing master planning and infrastructure planning review. As a consequence, there may be changes to the infrastructure. For further/ ongoing information, please see Council's website.
- J. The developer would benefit from engaging with the relevant energy provider prior to construction in regards to existing infrastructure on site.

Signage

- K. An Operational Works permit is required to be obtained for all signs and advertising devices associated with the development that do not comply with the self-assessable criteria of the Planning Scheme in effect at the time of the proposed works.

Acid Sulphate Soils

- L. Acid sulphate soils may be located on the subject site. All relevant precautions are to be taken if this soil type is encountered during site works.

Water and Sewer

- M. Water and sewer connection to Council infrastructure will not be granted until approval is issued from Service Provider;

An application for water connection for proposed development is to be made to the Service Provider through any one of Council Service Centre's. Water & Wastewater Operations & Reticulation Section requests the following requirements to be lodged with application:

- Site plan;
- Floor plan;
- Hydraulic plans showing proposed meter locations and sizes;
- All plans are to be scaled and at minimum size of A3.

PART C – PROPERTY NOTES

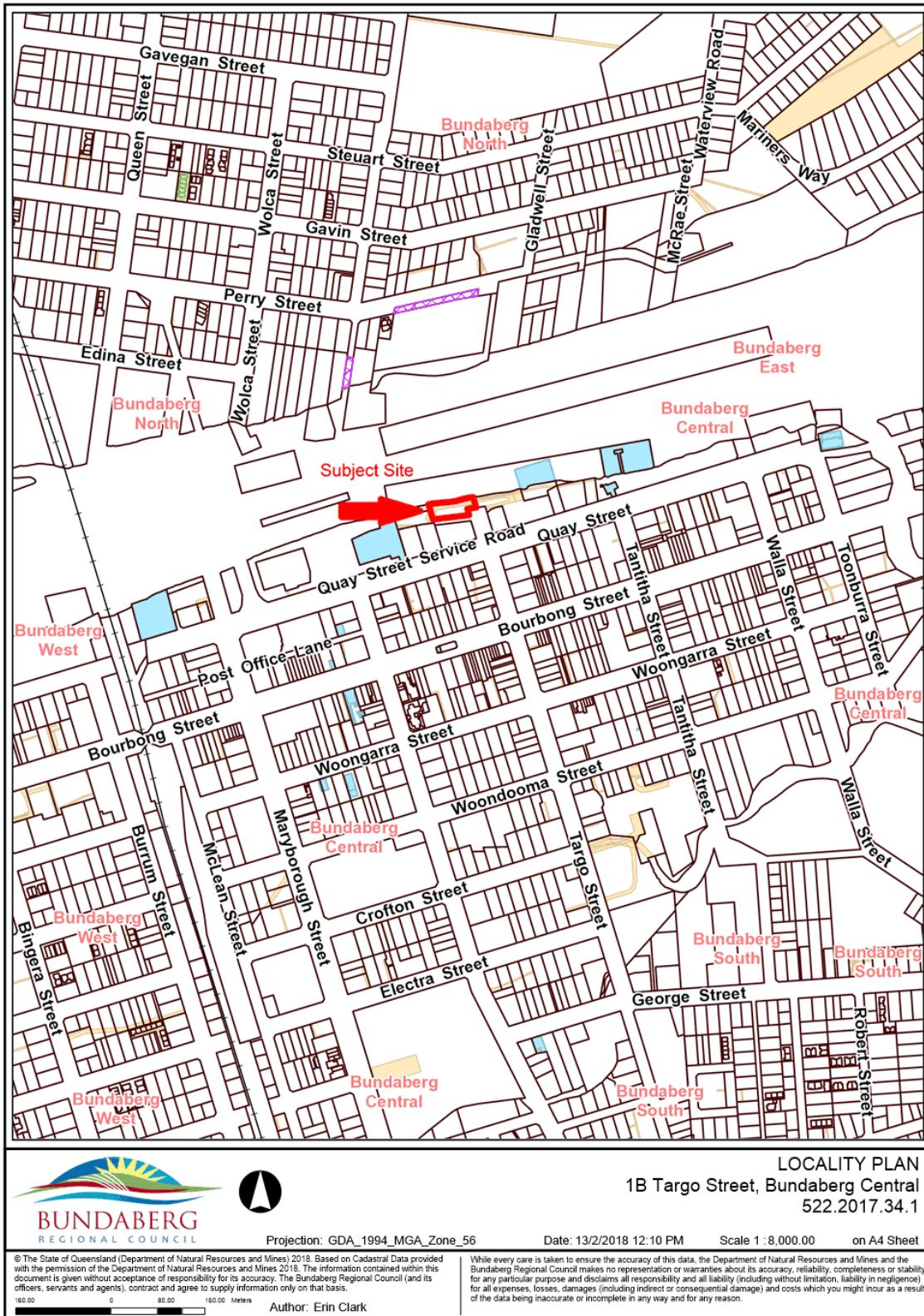
PN1 Development Approval 522.2017.34.1 – Burnett River Flood Event

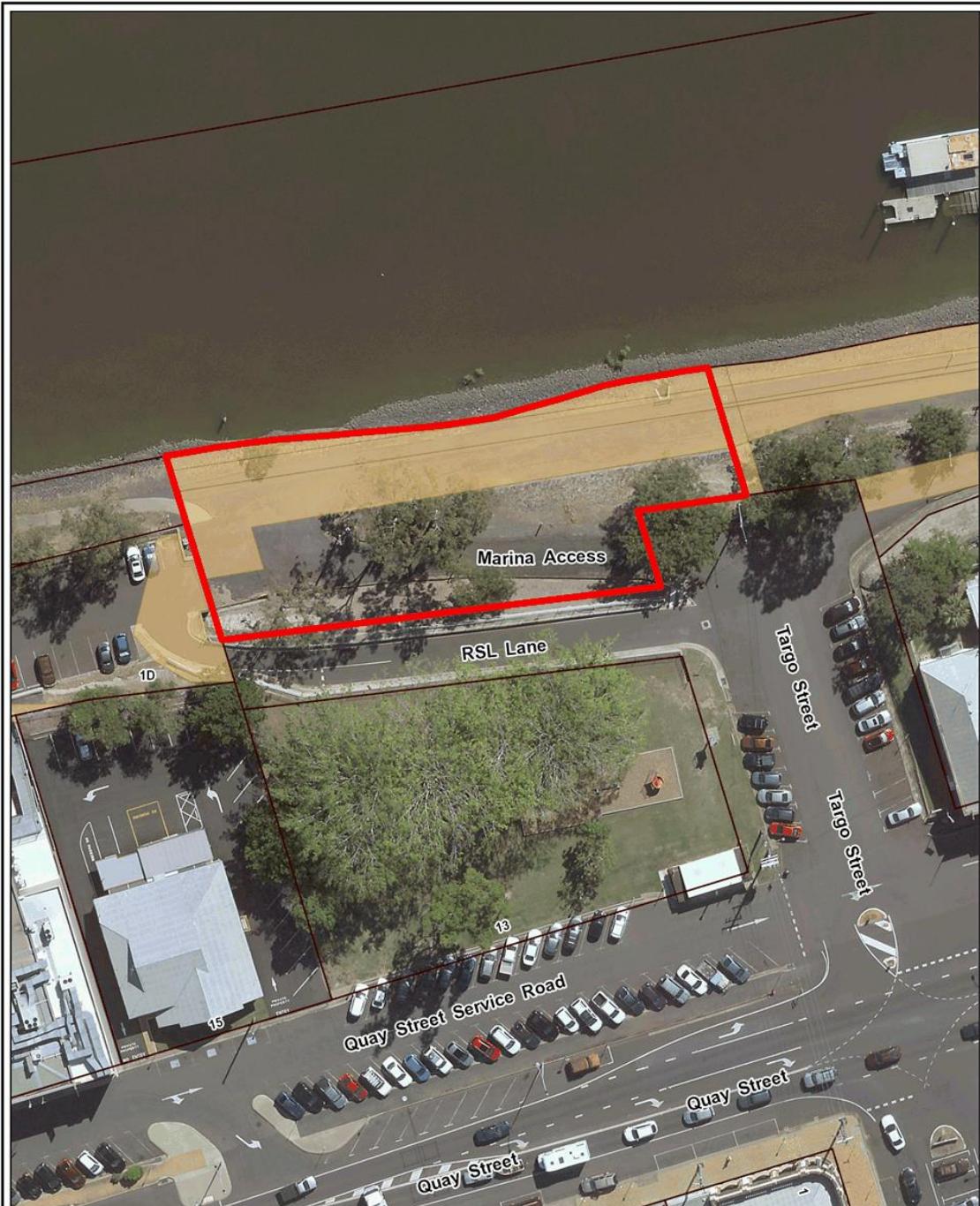
The following notation applies to all properties on parent Lot 9 on SP187629, this lot was subject to a level of flood inundation in the 2013 Burnett River flood event. Specific details of the 2013 flood event as it relates to the subject

land are available from the Bundaberg Regional Council. A Flood Evacuation Plan is available for this site and should be adhered to.

PART 2—CONCURRENCE AGENCY CONDITIONS

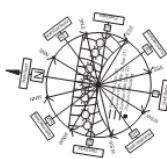
The Department of Infrastructure, Local Government and Planning, by letter dated 22 December 2017 (copy letter attached for information).





 BUNDABERG REGIONAL COUNCIL		SITE PLAN 1B Targo Street, Bundaberg Central 522.2017.34.1
Projection: GDA_1994_MGA_Zone_56	Date: 13/2/2018 12:00 PM	Scale 1:700.00 on A4 Sheet
© The State of Queensland (Department of Natural Resources and Mines) 2018. Based on Cadastral Data provided with the permission of the Department of Natural Resources and Mines 2018. The information contained within this document is given without acceptance of responsibility for its accuracy. The Bundaberg Regional Council (and its officers, servants and agents), contract and agree to supply information only on that basis.		
14.00 0 7.00 14.00 Meters	While every care is taken to ensure the accuracy of this data, the Department of Natural Resources and Mines and the Bundaberg Regional Council makes no representation or warranties about its accuracy, reliability, completeness or stability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.	
Author: Erin Clark		

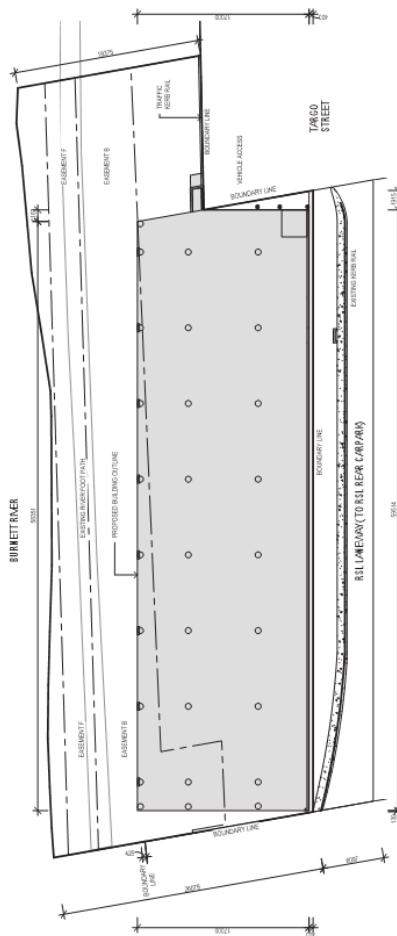
MARINAQUAY DEVELOPMENTS Pty Ltd
PROPOSED RESIDENTIAL MULTI-UNIT DEVELOPMENT
AT
LOT 1B TARGO STREET, BUNDABERG



SITE OF WORKS
18 TARGO STREET

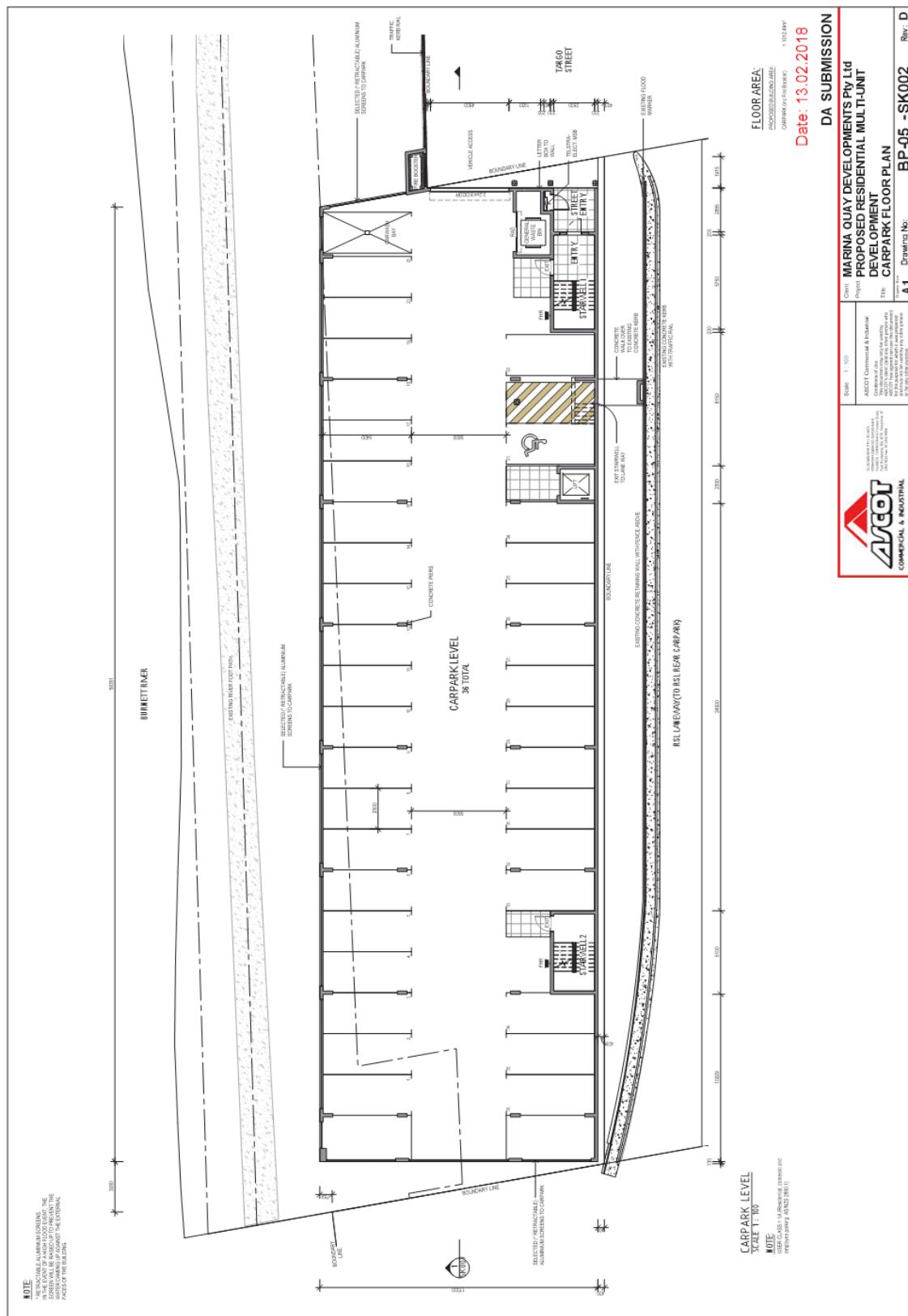


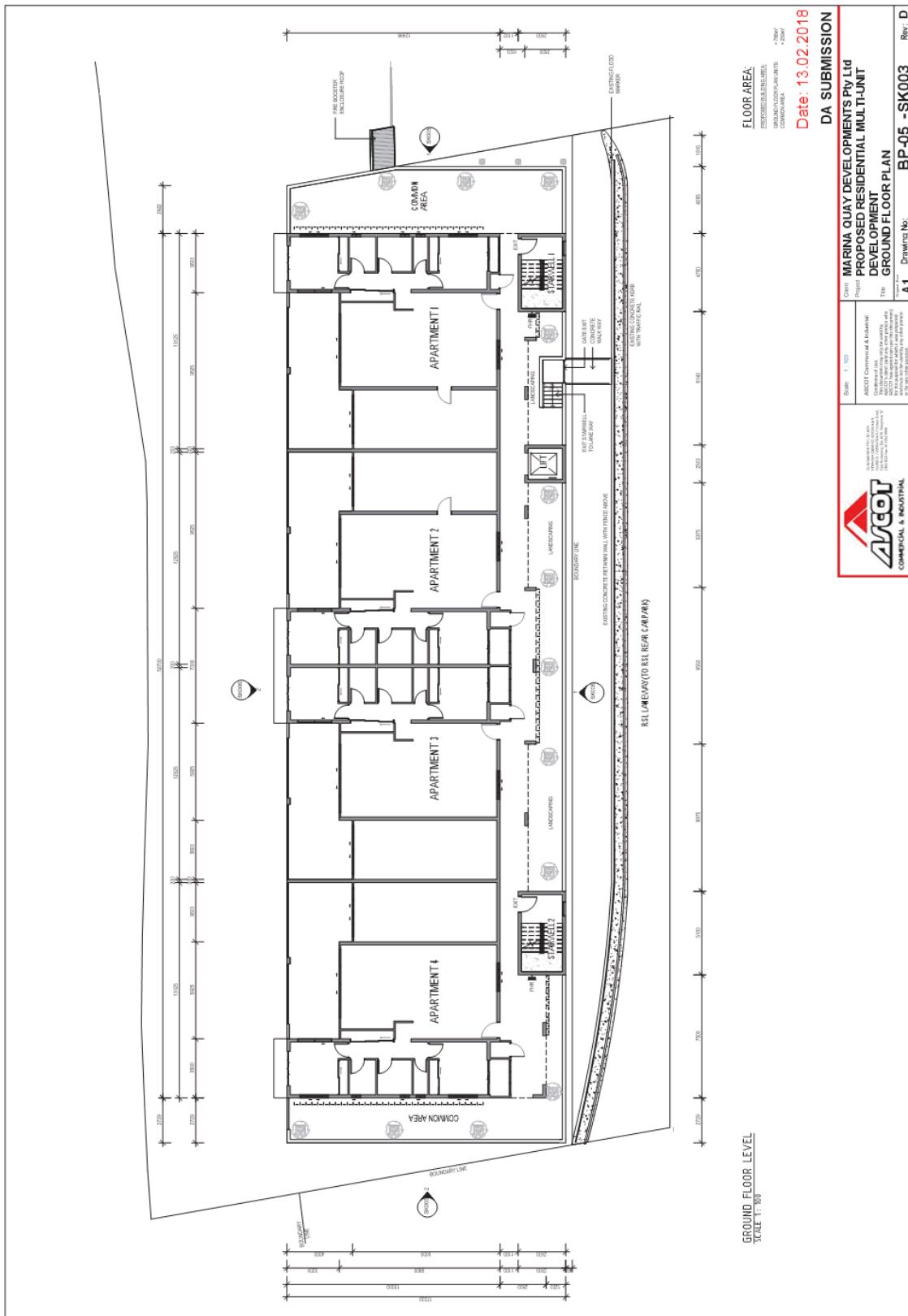
LOCALITY PLAN

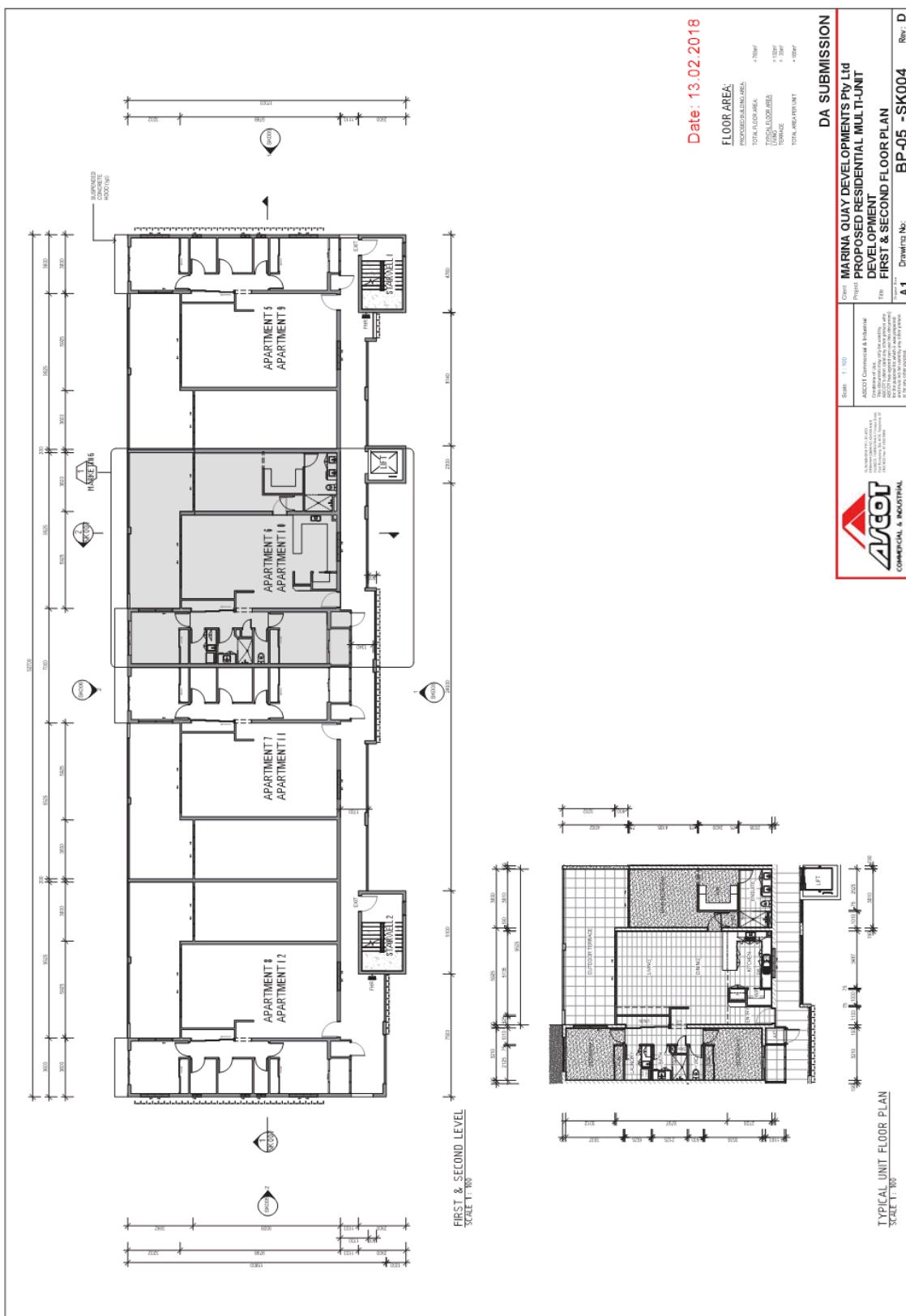


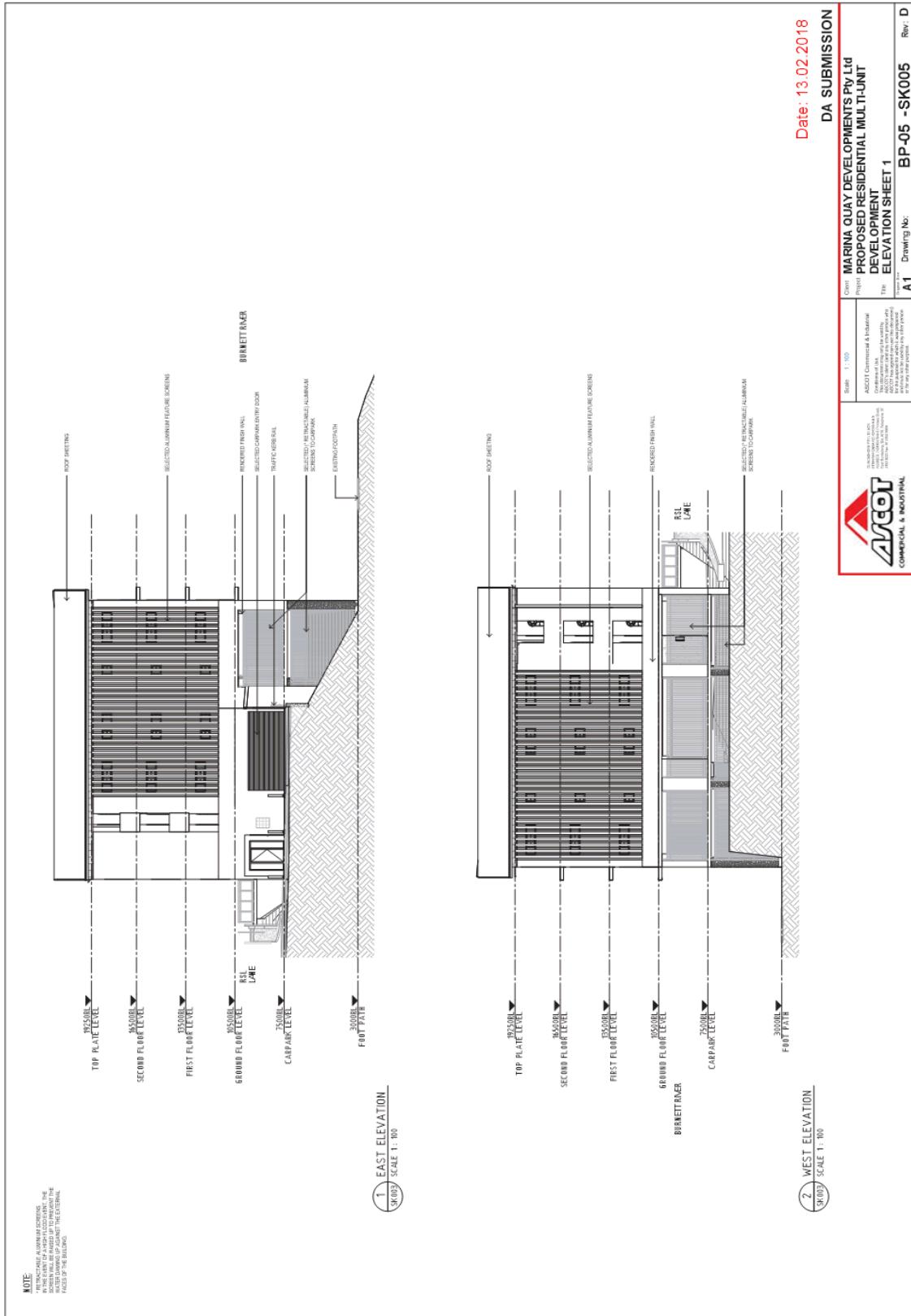
SITE LAYOUT
SCALE 1:200

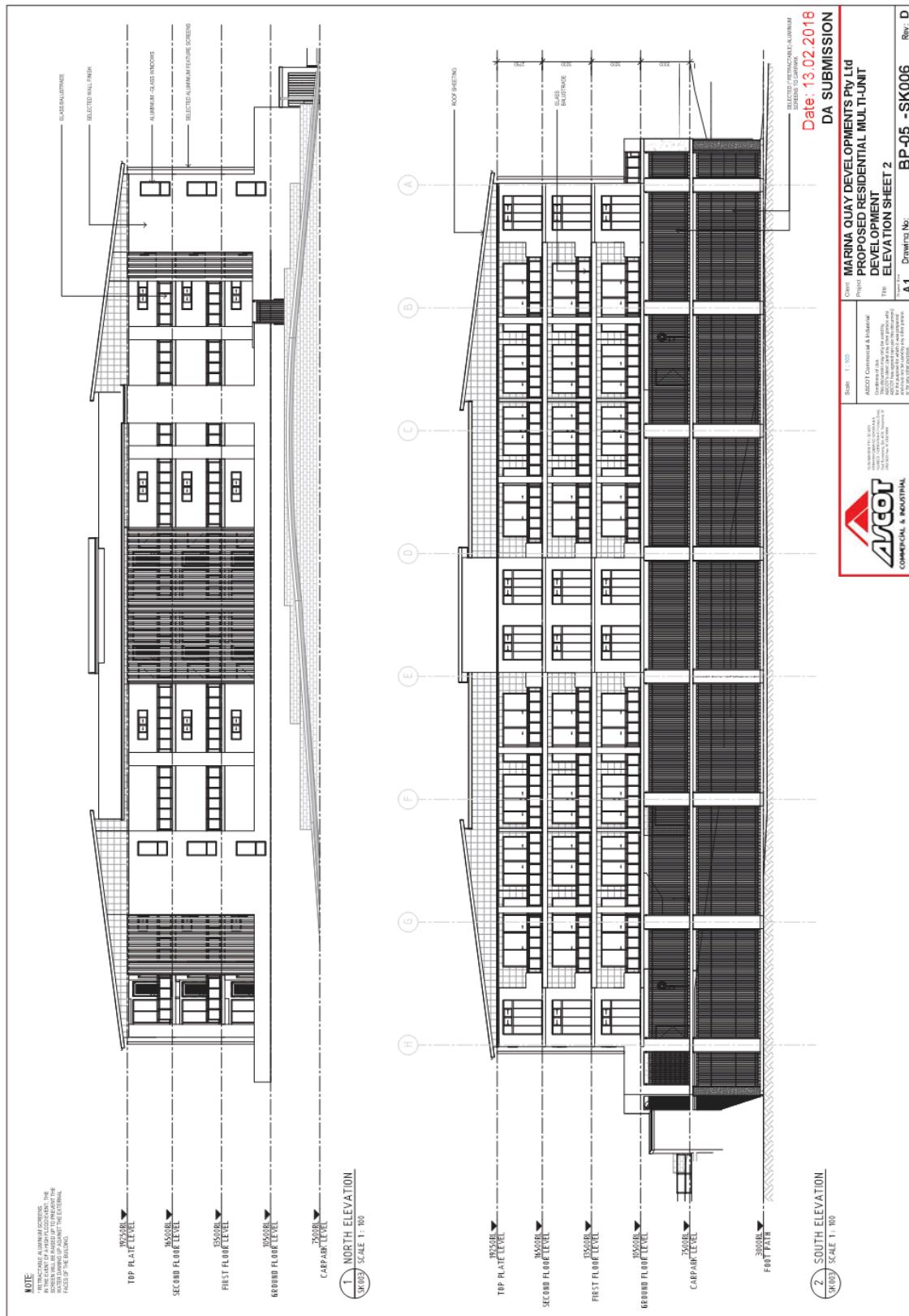
Date: 13.02.2018

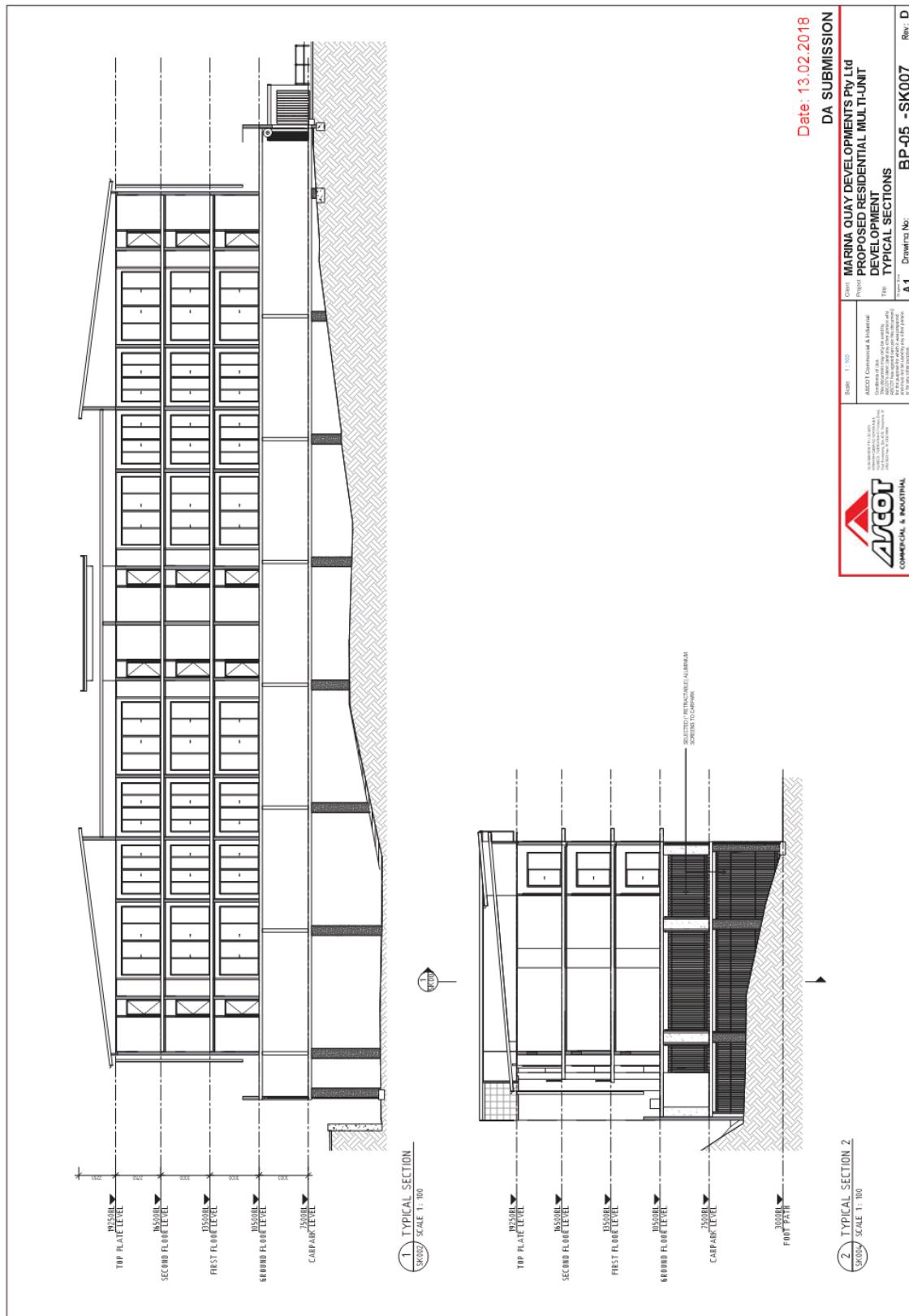
















RA6-N

RECEIVED

22/12/2017

Department of Infrastructure,
Local Government and Planning

Our reference: 1712-2907 SRA
Your reference: 522.2017.34.1

22 December 2017

The Chief Executive Officer
Bundaberg Regional Council
PO Box 3130
BUNDABERG QLD 4670
development@bundaberg.qld.gov.au

Attention: Ms Erin Clark

Dear Erin

Referral agency response—with conditions
(Given under section 56 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of Infrastructure, Local Government and Planning on 7 December 2017.

Applicant details

Applicant name:	Marina Quay Developments Pty Ltd C/- InsiteSJC
Applicant contact details:	67 Barolin Street Bundaberg QLD 4670 shane@insitesjc.com.au

Location details

Street address:	1B Targo Street, Bundaberg Central
Real property description:	9SP187629
Local government area:	Bundaberg Regional Council

Application details

Development permit	Material change of use for Multiple dwelling (12 residential units)
--------------------	---

Referral triggers

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

- 10.9.4.2.4.1 State transport corridors and future State transport corridors

1712-2907 SRA

Conditions

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Advice to the assessment manager

Under section 56(3) of the Act, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material change of use				
Figure 22 Quay Street / Targo Street Intersection Recommendations of Marina Quay Development - Traffic Impact Assessment	GHD	November 2017	41/30978	A

A copy of this response has been sent to the applicant for their information.

For further information please contact Danica Clark, Senior Planner, on 43315619 or via email WBBSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Luke Lankowski
Manager (Planning)

cc Marina Quay Developments Pty Ltd
C/- InsiteSJC, shane@insitesjc.com.au

enc Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Advice to the assessment manager
Approved plans and specifications

1712-2907 SRA

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material change of use for Multiple dwelling (12 residential units)		
State transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	<p>(a) Road works comprising of linemarking and regulatory signage must be provided at the Quay Street / Targo Street intersection, as generally shown in Figure 22: Quay Street / Targo Street Intersection Recommendations of Marina Quay Development – Traffic Impact Assessment, prepared by GHD, dated November 2017, referenced 41/30978.</p> <p>(b) The road works must be designed and constructed in accordance with the Department of Transport and Main Roads <i>Manual of Uniform Traffic Control Devices</i>, November 2017.</p>	Prior to the commencement of use.
2.	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state controlled road.</p> <p>(b) Any works on 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>(a) At all times.</p> <p>(b) At all times</p>

1712-2907 SRA

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state transport corridor.
- To ensure the road works on, or associated with, the state-controlled road network are undertaken in accordance with applicable standards.

1712-2907 SRA

Attachment 3—Advice to the assessment manager

General advice	
1.	<p>Road works approval: 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 on a state-controlled road. Please contact the Department of Transport and Main Roads' on 4154 0200 to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve.</p> <p>The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the Department of Transport and Main Roads' as soon as possible to ensure that gaining approval does not delay construction.</p>

GE78-N



Department of Infrastructure,
Local Government and Planning

Department of Infrastructure, Local Government and Planning

Statement of reasons for application 1712-2907 SRA

(Given under section 56 of the *Planning Act 2016*)

Departmental role: Referral agency

Applicant details

Applicant name:	Marina Quay Developments Pty Ltd C/- InsiteSJC
Applicant contact details:	67 Barolin Street Bundaberg QLD 4670 shane@insitesjc.com.au

Location details

Street address:	1B Targo Street, Bundaberg Central
Real property description:	Lot 9 on SP187629
Local government area:	Bundaberg Regional Council

Development details

Development permit	Material change of use for Multiple dwelling (12 residential units)
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Assessment matters

Aspect of development requiring code assessment	Applicable codes
1. Material change of use for multiple dwelling	State Development Assessment Provisions (version 2.1) State Code 1: Development in a state-controlled road environment

Reasons for the Department's decision

The reasons for the decision are the proposed development:

- complies with all applicable performance outcomes of the State Development Assessment Provisions (SDAP) State Code 1: Development in a state-controlled road environment, Version 2.1
- will have a negligible impact on the operation of Quay Street

Decision

- The development application is for twelve (12) residential units.
- The department's response includes conditions that must be attached to any approval given by the decision maker (Bundaberg Regional Council).
- The inclusion of conditions will ensure that stormwater from the subject site does not result in negative impacts for drivers utilising Quay Street, and to ensure conditions at the Quay Street/Targo Street intersection are improved through better line marking and signage.

1712-2907 SRA

Relevant material

- development application material
- State Development Assessment Provisions published by the Department of Infrastructure, Local Government and Planning, Version 2.1
- *Planning Act 2016*
- Planning Regulation 2017

Helen Aplitt

From: No Reply <mydas-notifications-prod2@qld.gov.au>
Sent: Friday, 22 December 2017 2:05 PM
To: Development
Cc: shane@insitesjc.com.au
Subject: 1712-2907 SRA application correspondence
Attachments: GE78-N Statement of reasons 1712-2907 SRA.pdf; RA6-N Response with conditions 1712-2907 SRA.pdf

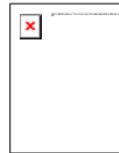
Categories: Helen

Please find attached a notice regarding application [1712-2907 SRA](#).

If you require any further information in relation to the application, please contact the Department of Infrastructure, Local Government and Planning on the details provided in the notice.

This is a system-generated message. Do not respond to this email.

RA6-N



Department of Infrastructure,
Local Government and Planning

Email Id: RFLG-1217-0001-0447



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 ABN 72 427 835 198

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Resolution (No. 1) 2015

To: Marina Quay Developments Pty Ltd
 C/- Insite SJC, PO Box 1688, Bundaberg 4670

Date of Issue: 27/02/2018
Register No.: 331.2018.985.1

Land to which the Charge Applies

Address: 1B Targo St, Bundaberg Central

Property Description: SP187629/9

Development to which the Adopted Infrastructure Charge Applies

The adopted infrastructure charge applies to the following development type: Material Change of Use

Development Approval No.: 522.2017.34.1

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.

Total Adopted Infrastructure Charge applicable to this development =	\$277,200.00
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Total Offset applicable to this development =	\$7,100.00
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Total Amount Payable =	\$270,100.00
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(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.

Total refund applicable to this development =	n/a
--	------------

Refund is to be paid no later than:	n/a
--	------------

Payment of the Adopted Infrastructure Charge

- The **due date for payment** of the *adopted infrastructure charge* is:
 - before the change of use happens.
- 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:

- (a) 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 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
- (b) 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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Where: $\text{Smoothed PPI (paid date)} = \text{3 yearly smoothed PPI at time the charge is paid}$
 $= \text{average (12 previously published PPI figures relative to paid date)}$

$\text{Smoothed PPI (levied date)} = \text{3 yearly smoothed PPI at time the charge is levied}$
 $= \text{average (12 previously published PPI figures relative to levied date)}$

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:

$$\text{adopted infrastructure charge payable} = \text{levied charge} \times \text{automatic increase provision} \quad \dots \dots \dots (2)$$

Finally, if after applying the automatic increase provision the *adopted infrastructure charge payable* is:

- many, 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

INFRASTRUCTURE CHARGES ENQUIRIES
Enquiries regarding this infrastructure charges notice should be directed to Council's Development Assessment Team on telephone 1300 882 699 during office hours or e-mail: planner@hundaberg.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 ~~unpaid~~. STEPHEN JUGSTON, CHIEF EXECUTIVE OFFICER.

Michael Ellery
Group Manager Development



Applicant: Marina Quay Developments Pty Ltd
 Address: C/- Insite SIC, PO Box 1688, Bundaberg 4670
 Site address: 18 Targo St, Bundaberg Central
 Plan/Lot: SP187629/9

ADOPTED INFRASTRUCTURE CHARGES NOTICE
 SCHEDULE 1 – Calculation of Current Charges, Offsets and Refunds

Development Type: Material Change of Use
 Dev Approval No.: 522.2017.34.1
 Register No.: 331.2018.985.1

Prepared by: Gary Tremul
 Authorising Officer: Richard Jenner
 Inside PIA: Yes

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Adopted Infrastructure Charges: \$ 277,200.00
 Offset: \$ 7,100.00
 Refund: n/a

Total Amount Payable: \$ 270,100.00

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 m ² GFA	Charge per m ² impervious area	Dwellings or lots or bedrooms or tents or cabins	GFA (m ²)	Impervious Area (m ²)	Discount category	Discount	Subtotal
ROL	Existing credit	Fully Serviced	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ (25,200.00)	n/a	n/a	1		n/a	0%	\$ (25,200.00)	
MCU	New	Fully Serviced	Residential	Dwelling unit	\$ per 3 or more bedroom dwelling	\$ 25,200.00	n/a	n/a	12		n/a	0%	\$ 302,400.00	
Adopted Infrastructure Charges Total:														\$ 277,200.00



ADOPTED INFRASTRUCTURE CHARGES NOTICE
SCHEDULE 1 – Calculation of Conditioned Trunk Infrastructure Costs

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Conditioned Trunk Infrastructure Details



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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			
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	-	-



Our ref: GC17-188-T02

Your ref: 522.2017.34.1

07 February 2018

Bundaberg Regional Council
PO Box 3130
BUNDABERG QLD 4670.

Attention: Richard Jenner

Dear Richard,

**Development Permit for Material change of use—Multiple dwelling on land
described as Lot 9 on SP187629**

This representation is in response to the Draft Conditions dated 02 February 2018. We thank Council for the opportunity to review draft conditions and subsequently provide representations.

It is possible that the subject site has been historically viewed by Council and other agencies as being public use land. This has resulted in a number of structures being located on the site without the consent of the land owner. Furthermore, it is considered that as a consequence there have been a number of draft conditions borne from the view that the land is for public use. With respect to the dedicating of Lot 9 on SP187629 to Council as parkland there have been several historical failed negotiations between the current land owner and Council to arrive at an outcome that is suitable to both parties including land swaps etc. The drafting of the recent *Bundaberg Regional Council Planning Scheme 2015* also represented an opportunity for Council to propose the land to be zoned for Open space and adequately compensate the land owner. The current development application that proposes a land use that is totally consistent with and intended by the current planning scheme should not represent an opportunity for Council to acquire land.

There are a number of draft conditions that can be sensibly revised and the representations below are consistent with pre-approval discussions undertaken between the land owner and Councilors and Council delegates on 07/02/18 and between this consultancy and Council officers on the 06/02/18. However, it is critical to the success of the development that the imposition of land dedication of a portion of Lot 9 on SP187629 be removed as the condition would significantly impact the ability of the developer to deliver the project. This not only has implications for the land owner but would impact the local economy in the short-term as the project would create a number of jobs throughout the construction phase. The many retail and dining businesses that are

P (07) 4151 6677 A 67 Barolin Street, Bundaberg P PO Box 1688, Bundaberg 4670 E admin@insitesjc.com.au ABN 62 329 746 562

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Creative thinking Responsible solutions

located throughout the CBD would also miss out on the revenue that would be generated post-development. The facts and circumstances supporting our position now follow.

1. **Condition 16 – Land dedication –**

Recommendation – Remove

Subject to Section 66 (1) (c) – Prohibited conditions of the *Planning Act 2016* (PA) a development condition must not require land to be given for infrastructure. It would seem that the imposition of Condition 16 is a deliberate attempt by Council to acquire ownership of an integral part of the development site to allow control of the land for the purposes of public works such as footpaths, park furniture and open space areas. The subject site is a freehold title and should not be treated as though it were for public use. The land owners are strongly opposed to dedicating the land to Council as this would restrict the enduring tenure of the land leaving the owner with no control over activities that may be undertaken on the site. There would also be a loss of access to the riverfront that the lot currently benefits from.

Subject to Section 65 (1) of the PA – Permitted development conditions, a development condition imposed on a development approval must be relevant to, but not be an reasonable imposition on the development or the use of premises as a consequence of the development, or be reasonably required in relation to the development or the use of premises as a consequence of the development. There would be no reasonable reason why the land owner should lose access to the river and tenure over a large portion of riverfront land. It would be unreasonable to expect that the land owner would have no control of land 1.5m from the outermost projection of the building footprint. More so, this would degrade the value of the development and generally erode the viability of the project.

In lieu of a land dedication and potential disputes regarding compensation, loss of access and loss of tenure the client would be agreeable to revising the extent of the easement (Easement F on SP199888) that already allows for connectivity and pedestrian access to the riverway walk. Council have foreshadowed that the existing easement may not adequately allow the future upgrades to the pathway as the existing alignment would need some modification. On the basis that Council is agreeable to our representation that the land dedication is an unreasonable burden, our client submits that a revision of Easement F on SP199888 would be sufficient to ensure that the public remain to have access to the riverfront and is also a reasonable compromise to achieve Council's intent for the area that is ultimately to connect public open space areas. The site's juxtaposition with the river's edge provides a connection to the network of discrete movement links including pathways and the existing riverside green spaces. It is proposed that a riverfront pedestrian pathway traversing the site under an easement benefiting Council



would be sufficient to connect public spaces and allow the public to access walking, cycling and other active transport options. This option would also preserve the land owner's enduring tenure of the land.

Note: Easements—Conditions 21-22 in their current form should be sufficient to allow future negotiation of the extent, location and rights pertaining to the revision of Easement F on SP199888.

2. Condition 25 Existing structures and services—

Recommendation—Delete condition

Subject to S65 of the PA a development condition imposed on a development approval must be reasonably required in relation to the development or the use of premises as a consequence of the development. The submitted proposal plans—*Marina Quay Developments Pty Ltd – Proposed Residential Multi-unit Development Drawing No: BP-05-SK002* indicate that there would be in excess of 3080mm separation distance from the development footprint and the current location of the plaque. Further to this, S66 of the PA prohibits development conditions from requiring a person other than the applicant to carry out works for the development. The attached Smartmap, site photos and aerial imagery below clearly indicate that the James Charles Burnett Walkway plaque is located on Lot 1 on SP134444. Aside from the relocation of the plaque not being reasonably required by the development, the applicant has no legal right to access or alter improvements or structures on Lot 1 on SP134444.



Figure 1—Location of James Charles Burnett Walkway (Source: Site visit)



Figure 2—Location of James Charles Burnett Walkway (Source: Google Earth Pro)

3. Condition 28 Existing structures and services—

Recommendation—Modify condition

The existing flood gauges located on-site have been constructed and located on the subject site without the consent or agreement of the land owner. Post-lodgement negotiations 07/02/18 indicated that Council would be agreeable to removing the word “reinstated” and the “to the satisfaction of the Bureau of Meteorology” (BOM). The condition defers an important aspect of the approval for future consideration by a third party. A local authority is bound to dispose of an application fully and finally, and it may not defer its decision on an essential matter. It is suggested that the condition be modified such that there is no inference that the landowner is liable for the relocation. Whilst it is acknowledged that the flood gauges may serve a purpose, the owner does not want to be burdened with the cost of their relocation. In addition to modifying the condition it would be acceptable to include a property not indicating that the developer is to engage with BOM and provide a likely timeframe for works to occur on-site. This would enable BOM to have sufficient time to remove their asset from the applicant’s land.

4. Condition 29 Existing structures and services—

Recommendation—Modify/Delete condition

Pre-lodgement negotiations 07/02/18 indicated that Council would be agreeable to removing the word “reinstated” to again defer the inference that the

landowner is responsible to bear the costs of relocation. This consultancy's preference would be that the condition is removed and replaced with an Advice Note indicating that the developer would benefit from engaging with the relevant energy provider prior to construction. A search of ergon's database indicates that there are two (2) power poles located on-site although there is no underground power, ergon diagram attached. A site inspection also indicates that there is a light pole and cctv cameras located on the site. Again, this seems to be the result of the site being treated as public land rather than a freehold title. The developer will liaise with the energy provider as part of the construction of the building.

5. Condition 33 Flood management—

Recommendation—Modify

There should be a nexus between development conditions and the benchmarks of the relevant codes contained in the planning scheme, in this instance the *Bundaberg Regional Council Planning Scheme 2015*. The Flood hazard overlay code provides the basis for draft conditions 33 – 39. The purpose of the code is to ensure that development protects people and avoids or mitigates the potential adverse impacts of flood and storm tide inundation on property, economic activity and the environment, taking into account the predicted effects of climate change. The purpose of the code is achieved via a number of outcomes. Relevant to Condition 33 is that the safety of people is protected and the risk of harm to property and the natural environment from flood and storm tide inundation is minimised. Further guidance can be found in the performance outcomes and acceptable solutions. As required by the benchmarks of the code, the proposed building design mitigates the potential risk to people and property by locating the habitable floors above the defined flood level (DFL) and by locating the parking at ground level.

Subject to Section 65 of the PA a development condition imposed on a development approval must not be an unreasonable imposition on, the development or the use of premises as a consequence of the development. It is acknowledged that the development footprint is subject to inundation at the periphery of the defined flood event (DFE). Council's records indicate that the DFL is 9.46 AHD, BRC Flood Report attached. This means the habitable floor levels are over 1m above the peak of the 2013 DFE. The proposed habitable floor levels more than satisfy the requirements of the code. It would be an unreasonable imposition on the development to require a full evacuation of the building in the event of flood waters breaching the development footprint as RL3.0m. That level is some 7m below habitable floor levels. Pre-lodgement discussions with Council officers indicated that it would be sufficient to begin



clearing the carpark when the flood level reached 7m AHD. We propose a more conservative level of 6m AHD.

The submitted proposal plans indicate that the habitable rooms would be located 4.5m above this height and be more than sufficient for people to evacuate to a gathering point above the DFL. It would be unreasonable requirement to evacuate persons when the flood level is below 6m as there is no certainty that the level would rise above this level to reach the peak of the 2013 DFE. If there were a similar event to the 2013 DFE or higher there would still be adequate time to evacuate at the 6m level. Figure 3 below generated by the Burnett River Gauge Mapping System indicates that the exit to the building located at the south of the building and the exit to the parking area are both located above the flood level when the gauge is at 6m.



Figure 3—Location of James Charles Burnett Walkway (Source: Site visit)

6. **Condition 45 (a) Privacy—**

Recommendation—Delete

It would be extremely impractical to provide a 1.7m sill height above floor level for the large windows located on the northern face of each unit. This would be a serious departure from the proposed building design and would prohibit occupants from taking in the views of the Burnett River. The views of the river vista are integral to the design of the building and would be an important aspect of the buildings relationship to the riverfront. Notwithstanding that there would be tinted windows, it is expected that like the majority of units located in prominent areas there would be a series of privacy drapes and curtains.

We thank you in advance for your prompt consideration of our request and look forward to Council's favorable determination. Please feel free to contact the writer with any queries in relation to any of the matters raised herein on (07) 4151 6677.

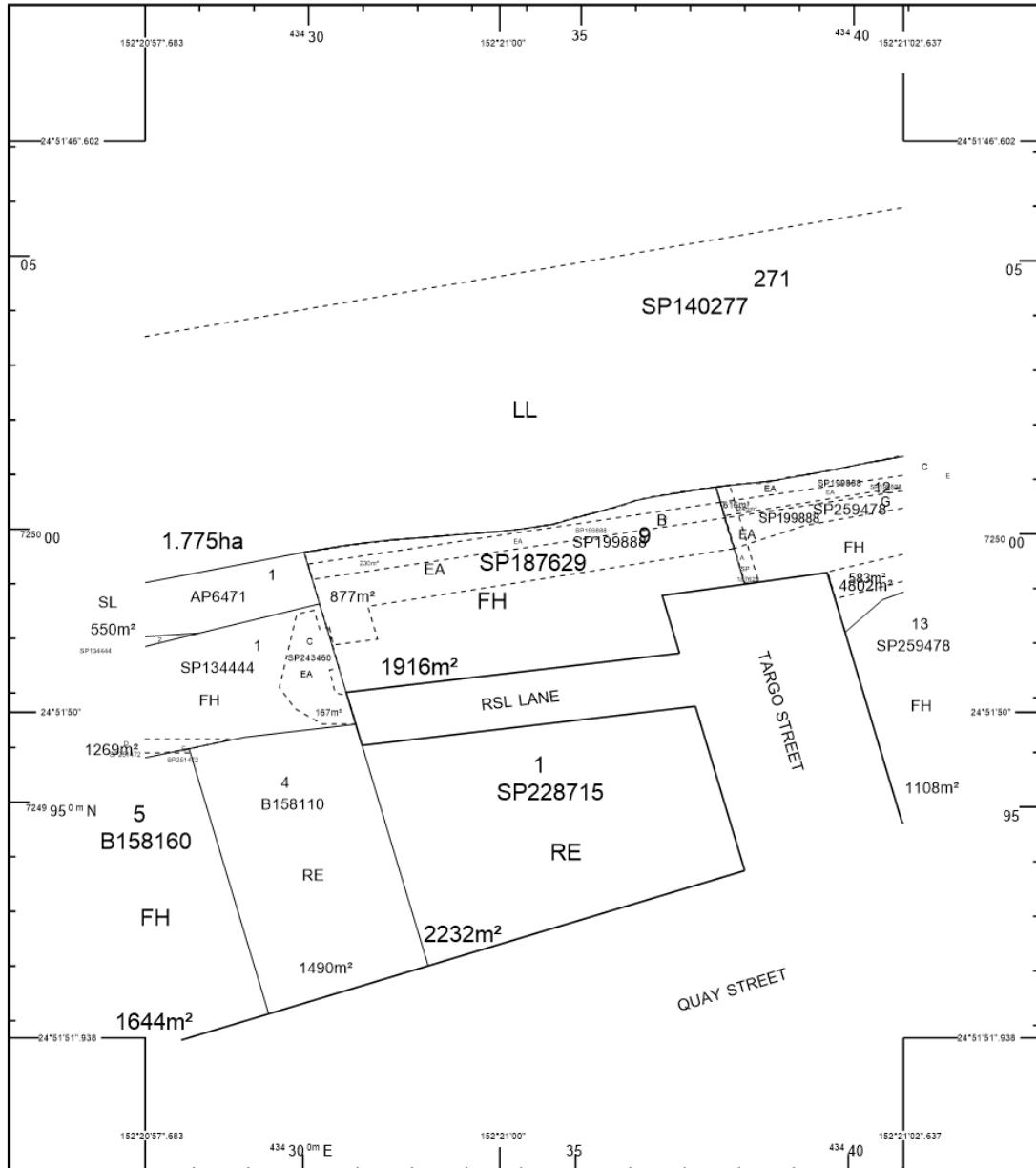
Kind regards,
Insite SJC



Shane Booth
Senior Town Planner



Page 7 of 7



STANDARD MAP NUMBER
9348-24223

0 20 40 60 80 100 m
HORIZONTAL DATUM: GDA94 ZONE 56 SCALE 1 : 1000

MAP WINDOW POSITION &
NEAREST LOCATION

152°21'02".683
24°51'51".938
BUNDABERG
0.29 KM

SUBJECT PARCEL DESCRIPTION

DCDB
Lot/Plan 9/SP187629
Area/Volume 1916m²
Tenure FREEHOLD
Local Government BUNDABERG REGIONAL
Locality BUNDABERG CENTRAL
Segment/Parcel 2226/671

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 06/02/2018

DCDB 05/02/2018

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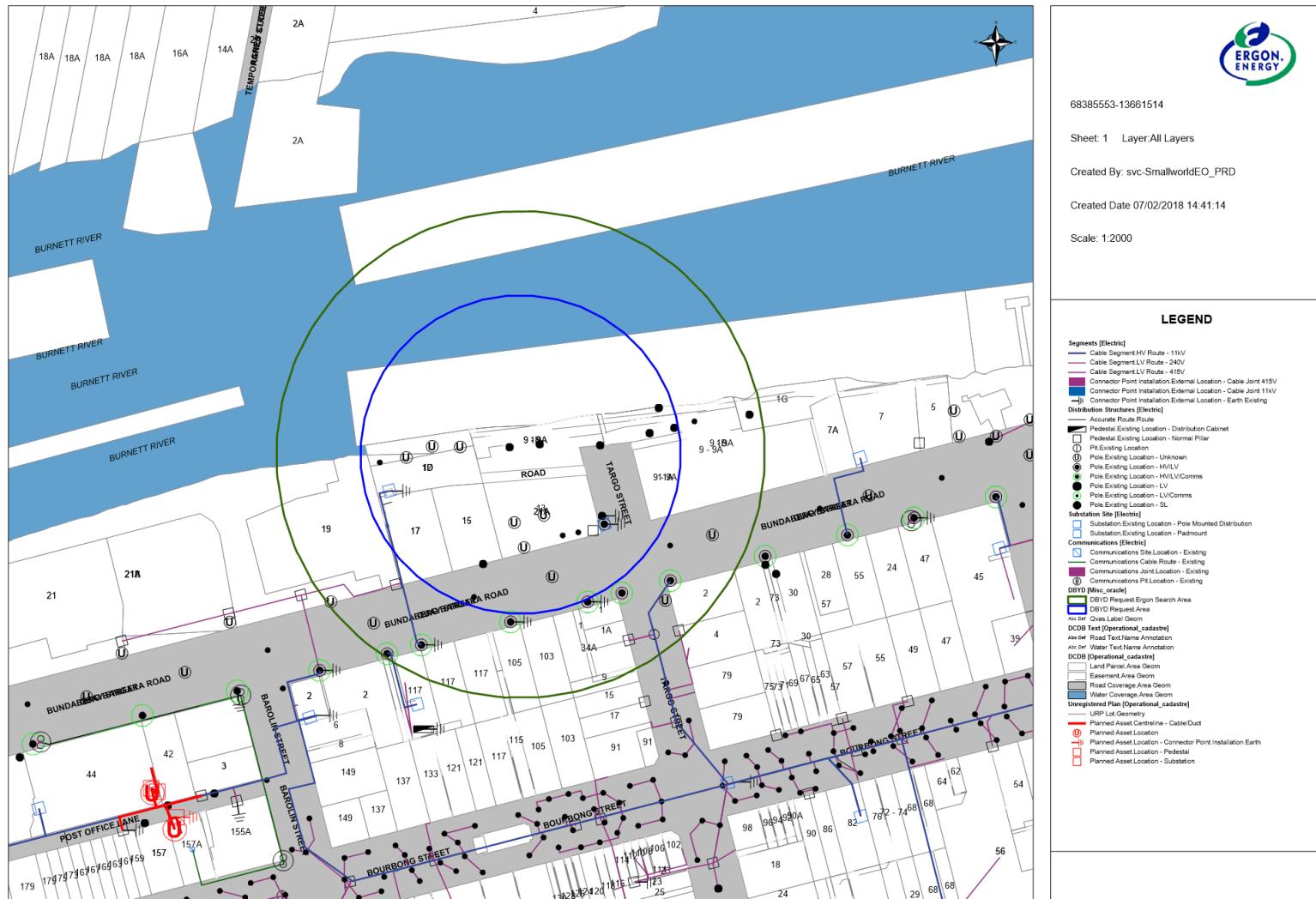
SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



Queensland
Government

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BUNDABERG REGIONAL COUNCIL

PO Box Box 3130, Bundaberg QLD 4670
Local Call 1300 883 699 Fax (07) 4150 5410
ABN 72 427 835 198

FLOOD PLANNING CONTROL PROPERTY REPORT

Property Details:

Property Address:	1B Targo St Bundaberg Central	Minimum Ground Level (mAHD):	2.05 (5m resolution)
Plan Lot:	SP187629/9	Maximum Ground Level (mAHD):	7.3 (5m resolution)
Existing Floor Level (mAHD): No information			

Flood Information:

Within Flood Hazard Area:	YES	Maximum DFL (mAHD):	9.46
Within High Hazard Area:	YES	Source of Maximum DFL:	Riverine
Within Flood Mitigation Area:	NO	Existing Floor Level	
Within Flood Investigation Area:	NO	above Maximum DFL:	N/A
Non-urban Creek & Overland		Flood Hazard Level* (mAHD):	9.76
Flow Maximum Water Level:	No OFP Max WL	(* minimum finished floor level of habitable rooms)	
Riverine DFL (mAHD):	9.46		
Local DFL (mAHD):	No local DFL		
Storm Tide DFL (mAHD):	2.93		

Comments:

The Maximum DFL is set by the Burnett River Flood Study as per Table 1.

Data Generation Date: 27/05/2017 4:36:33 AM - note subdivision may have occurred since data generation date.

Figure 1 - Flood Hazard Map

Legend:

- 0.5m Contours
- Building Footprints
- Calculated Floor Level
- Unknown Floor Level
- Property Boundary
- Affected by Flood Hazard Area
- Not affected by Flood Hazard Area
- Flood Mitigation Area
- Operational Works in FHA
- Flood Investigation Area
- Flood Hazard Area
- Property Selection

Co-ordinate System: GDA94 MGA Zone 56 Date: 25/10/2017 2:37 PM Scale 1 : 844.76 on A4 Sheet

Disclaimer:

- The Defined Flood Levels and Flood Hazard Level are determined from the information available to Council at the date of issue. These flood levels may change when more detailed information becomes available or changes are made in the method of calculating flood levels.
- Council makes no warranty or representation regarding the accuracy or completeness of this flood enquiry. Council disclaims any responsibility or liability in relation to the use or reliance by any person on the information contained in this flood enquiry.

Page 1 of 3



FLOOD PLANNING CONTROL PROPERTY REPORT

Interpreting this report

Annual Exceedence Probability

The likelihood of the occurrence of a flood of a given size or larger in any one year, usually expressed as a percentage. Council's adopted flood events are based on 1% AEP unless stated otherwise in Table 1.

Australian Height Datum (AHD)

The reference level for defining ground levels in Australia. The level of 0.0m AHD is approximately mean sea level.

Contour

Lines join points of equal elevation. The contour levels on the allotment are provided in Figure 1. Please note that contours are provided at 0.5 metre intervals AHD.

Defined Flood Event (DFE)

The flood event adopted by Council to define the Flood Hazard Area. The DFE and its associated inundation level are used to manage the development of a particular area. DFE are generally measured in terms of AEP but can also refer to historical flood events. Table 1 lists the adopted DFE for the Bundaberg Regional Council Area.

Defined Flood Level (DFL)

A flood water level adopted by Council that represents the defined flood event (DFE) or defined storm tide event (DSTE) at the development site. The DFL is also the adopted flood level for the purpose of section 13(1)(b) of the Building Regulation 2006 and Queensland Development Code MP3.5 – Construction of Buildings in Flood Hazard Areas. All adopted flood events are shown in Table 1 below.

Existing Floor Level (EFL)

The floor level (where available) of an existing dwelling on the subject property as recorded in either the 2004 Flood Floor Height Survey or 2013 Bundaberg and Gin Gin Mobile LiDAR Capture of Habitable and Commercial Floor Levels. A confidence level was applied to all captured floor levels to indicate the degree of certainty of the measured level. The levels used were:

1. A high expected floor level accuracy. No obstructions were present and the base of the door could be seen.
2. A minor obstruction was present around the base of the door. In general, measured levels should meet accuracy requirements.
3. The base of the door was not visible. In these cases, a patio level was captured as close to the door as possible. Additional height may need to be

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added particularly for brick slab buildings to achieve the final floor level.

4. The base of the door was not visible and no suitable patio level could be measured. Additional calculations will be required to obtain the actual building floor level.

Finished Floor Level

The level of the uppermost surface of a finished floor not including any floor covering. This is the same meaning as in section 13 of the Building Regulation 2006.

Flood Hazard Area

An area, whether or not mapped, designated by a local government as a flood hazard area under the Building Regulation 2006, section 13. Note - section 13 of the Building Regulation requires a local government to keep a register of the flood hazard area it designates and when the designation was made.

Flood Hazard Level (FHL)

The defined flood level (DFL) plus the freeboard. This is the same meaning as in the Queensland Development Code MP 3.5 Construction of buildings in flood hazard areas. The FHL is used to define the finished floor level of habitable rooms in the Flood Hazard Area. Please ensure that when you set out a FHL that this level is provided by a registered surveyor, as the contours are provided for information only and are not to be used as a reference during construction processes.

Flood Investigation Area

An area where Council is currently undertaking detailed flood analysis.

Flood Mitigation Area

The area protected by flood mitigation and evacuation route upgrades constructed after the 2013 Burnett River flood event. These include the Technology Park Flood Levee and the Bundaberg-Gin Gin Road and Fairymead Road evacuation route upgrades completed in 2015.

Freeboard

The height above defined flood level that takes account of matters that may cause flood waters to rise above the defined flood level. The freeboard for a lot in a flood hazard area is:

- (a) if a local government has declared a freeboard for the part of the area where the lot is located, under section 13 of the Building Regulation 2006 – the height above the defined flood level declared to be the freeboard or

- (b) otherwise - a height of at least 300mm.



FLOOD PLANNING CONTROL PROPERTY REPORT

Ground Levels (Minimum & Maximum)

The lowest and highest ground levels (AHD) on the property based on available data. For more accurate information about the levels of the allotment, owners must engage a registered surveyor. The spatial resolution of the data is shown in brackets.

Habitable Room

Has the same meaning as in the Building Code of Australia. This is generally bedrooms, living rooms, kitchen, study, family and rumpus rooms.

High Hazard Area

The part of the flood hazard area where the maximum modelled flow velocity of water is greater than 1.5m/s.

Local DFL

The flood level associated with an adopted localised

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flood event where the rain falls on the local stream or creek catchment.

Operational Works in Flood Hazard Area

Refers to a range of development activities including excavating or filling, erecting an advertising sign, clearing vegetation, road works and infrastructure. Some of these activities can affect the Flood Hazard Area, DFL and FHL.

Riverine DFL

The flood level associated with an adopted regional flood event where the rain falls on the entire river catchment.

Storm Tide DFL

The flood level associated with an adopted regional flood event where cyclone activity affects the entire coastline of the Bundaberg Regional Council Area.

Table 1 - Flood Studies

Column 1 - Catchment	Column 2 - Author / Date	Column 3 - Adopted defined flood event detail
Riverine DFE		
Burnett River (lower)	<u>Flood extent</u> Queensland Government (with Council amendments)** <u>Flood velocity and height</u> GHD / 2013 As amended by GHD Feb 2015	Extracted from aerial photography of the 2013 Burnett River flood event Flood velocities and heights from the modelled January 2013 flood event#
Burnett River (upper)	GHD / 2013	Modelled January 2013 flood event
Kolan River and Gin Gin Creek	GHD / 2014	1% AEP with climate change
Baffle Creek	O2 / 2014 (draft results only)	1% AEP with climate change
Burrum, Cherwell, Isis, Gregory River	GHD / 2015 (with Council amendments)**	1% AEP with climate change
Local DFE		
Saltwater Creek	Cardno / 2010 As amended by BRC / 2013	1% AEP with climate change
Bundaberg Creek	Cardno / 2013	1% AEP with climate change
McCoy Creek	GHD / 2013 (with Council amendments)**	1% AEP with climate change
Bundaberg Coastal Small Streams	BMT WBM / 2014 including updated northern area)	1% AEP with climate change
Apple Tree Creek	Cardno / 2004	1% AEP
Palmer and O'Connell Creeks	GHD / 1997	1% AEP
Other		
Non-urban creeks and Overland Flow Path	BMT WBM / 2014	100 year ARI including climate change Clipped to SPP extent only and not used in urban areas
State Planning Policy Level 1 Queensland Floodplain Assessment Overlay Mapping In catchments where Council has no historic or modelled flood data	Queensland Government	Nil
Storm Tide	BMT WBM / 2013 (with Council amendments)**	1% AEP with climate change

The modelled January 2013 flood event is similar in magnitude to a 1% AEP flood event. In Bundaberg, the difference between the modelled 2013 event and a modelled 1% AEP event is mostly +/- 0.02m with a maximum difference being +0.06m.

** See Hazard Evaluation Report – Flood (BRC 2017), Appendix 1 for details. This report is available here http://www.bundaberg.qld.gov.au/files/flood_hazard_evaluation_report_may_doc.pdf

**Item****27 February 2018**

Item Number:	File Number:	Part:
N1	.	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Cinema Operations - Moncrieff Entertainment Centre

Report Author:

Rod Ainsworth, Coordinator Moncrieff Entertainment Centre

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:

Advice previously provided at Council's consultation day on 11 December 2017 indicated that there is strong audience and financial data to demonstrate a lack of demand for standard theatrical release cinema at the Moncrieff Entertainment Centre. There are a number of factors that have influenced this, but it is evident that the community value/demand is in presenting live events and unique cinema and broadcast/simulcast events. This report recommends the removal of theatrical release cinema programming with a view to reinvesting funds in areas with greater community demand.

The following cinema events will continue:

- Free community movies will continue
- School holiday programming will be boosted
- Collaborations between Libraries and BRAG will increase
- Event-based cinema will increase
- Programming of films based on community demand will increase (depending on availability of films)
- Film fundraisers and corporate opportunities will continue

The changes reflect community interests and will allow for greater opportunity to provide programming responsive to the Moncrieff's audience.

Associated Person/Organization:

Rod Ainsworth

Consultation:

Councillors, General Manager, Venue Staff

Legal Implications:

The change will require the cancellation of contracts with distributors, film agents and Val Morgan Cinema Advertising.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

The changes will effect changes to the Moncrieff's operational budget but will have limited effect on overall budget. There are no financial implications from these cancellations with the exception of the loss of cinema advertising income which is less than \$5,000 per annum.

The intent is not about cost saving rather than responding more effectively to community.

Risk Management Implications:

There is a risk that the community may see this move as a cost saving measure and a solid communications strategy will be required.

Communications Strategy:

Communications Team consulted.

- Yes
- No

Attachments:

Nil

Recommendation:

That Council changes the Moncrieff Entertainment Centre operations to reflect a new model of programming that is more responsive to community demand as of 1 July 2018. This new model would involve removing existing theatrical release cinema programming and investing this effort into more live events.

**Item****27 February 2018**

Item Number:	File Number:	Part:
N2	.	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

RADF Project Approval

Report Author:

Rod Ainsworth, Coordinator Moncrieff Entertainment Centre

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:

Due the late opening of RADF Round 1 because of late receipt of Arts Queensland funding, out of round applications have been made available to potential applicants with start dates in the third quarter 2017-18 financial year. This report refers to an application received from Cynthia Hoogstraten on behalf of Unity Drummers. The total amount requested was \$4,103 towards costs for a Drum Making Workshop with a visiting artist/craftsman Tunde Solanke. The project will begin on 23 March 2018 and will run for two days.

The application was assessed by the RADF Committee with recommendations that a total of \$2,635 be granted as a number of items requested in the application were not eligible to be funded.

Associated Person/Organization:

Cynthia Hoogstraten, Unity Drummers

Consultation:

RADF Assessment Committee

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:

[Explanation of section – In addressing this section, the Communications Team must be consulted on all reports to determine whether a communication strategy is required]

Communications Team consulted.

Yes

No

Attachments:

Nil

Recommendation:

That Council approve in accordance with RADF recommendation for Cynthia Hoogstraten and Unity Drummers to receive an out of round RADF Grant of \$2,635 to cover artists' fees, travel, accommodation, workshop materials, facilitators' fees and ticketing costs in support of their application for a Drum Making Workshop.

**Item****27 February 2018**

Item Number:	File Number:	Part:
N3	.	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Enter into agreement with Wide Bay Kids Community Inc. for delivery of "First 5 Forever" literacy program.

Report Author:

Peta Browne, Manager Library Services

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:

First 5 Forever (F5F) is a universal family literacy program funded by the Queensland State government aimed at creating stronger language and literacy environments for 0-5 year old children before they start kindergarten and school. First 5 Forever directly supports parents and primary caregivers to be confident as their child's first and most important teacher, and provides increased access to resources they need through public libraries.

Commencing in January 2015, Council receives funding of \$91,910 a year, over 4 years, to deliver the F5F program through the library service to the community and employed a F5F officer on contract for 2 years. While delivery on key performance criteria was achieved, libraries changed their approach to this service and contracted Wide Bay Kids and Angela Williams to jointly deliver the F5F program. This attained improved reach of the target group within our diverse and geographically dispersed communities.

Wide Bay Kids has a very high reputation in the delivery of children's services, programs and education, coupled with unparalleled parent/family/community networks and reach in our target audience of families with children 5 years and under. No other local organisation exists which can provide this level and quality of service.

Delivery of the service has been a success and a professional working relationship has been established with the service provider.

As the F5F program funding will end in December 2018 approval is sought to continue the service with Wide Bay Kids up til this time to deliver the best outcome for the community.

Associated Person/Organization:

Wide Bay Kids Community Inc.

Consultation:

Portfolio Spokesperson and Division 9 Councillor: Cr Judy Peters
As this will be a continuation of an already existing agreement, further consultation is not deemed to be required.

Legal Implications:

Section 235(b) of the Local Government Regulation 2012.

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](#) Table 1: first five forever subcontract and operational budget estimate
(12/03/18 – 14/12/18)

Recommendation:

That Bundaberg Regional Council enter into a contract with Wide Bay Kids Community Inc. (ABN 31 768 083 831) to deliver the First 5 Forever (F5F) program from 12th March 2018 up until 14th December 2018.

Due to the specialised nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders as set out under Section 235(b) of the Local Government Regulation 2012.



Wide Bay Kids Community Inc
ABN: 31768083831

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0427189444
info@widebaykids.com.au
www.widebaykids.com.au

TABLE 1: FIRST FIVE FOREVER SUBCONTRACT AND OPERATIONAL BUDGET ESTIMATE (12/3/18 – 14/12/18)

ACTIVITY	COST \$	DELIVERED BY
1. Continue Sustainability Strategies <ul style="list-style-type: none"> • Develop and deliver F5F Sustainability Plan • Targeted skills and capacity building Early Years Sector 	6,800 21,000	Subcontract labour Subcontract labour
2. Support the Libraries <ul style="list-style-type: none"> • Paint the Town REaD Reading Eggs Initiative– Childers and Gin Gin • Programming – link internal and outreach and joint planning with Moncrief and BRAG • Assist in opportunistic outreach events/ activities • Family Partnership Engagement Model approach in outreach setting 	8,750	Subcontract labour
3. Undertake community engagement activities and events that match community need/data in partnership with Bundaberg Regional Libraries: <ul style="list-style-type: none"> • Bundaberg Family and Baby Network ELL Working Group • Dad's Read • 2018 One Book One Bundy – I'm a Dirty Dinosaur • Value add into existing community events: <ul style="list-style-type: none"> - Family Frolics Event in Gin Gin community (March 2018) - Family Frolics or Under 8s Event in Childers community (May 2018) - National Simultaneous Storytime Day in Bundaberg Library (May 2018) - Flourish Family Fun Day and Welcome Baby Celebration in Bundaberg community (June 2018) - Aboriginal and Torres Strait Islander Children's Day in Bundaberg community (August 2018) - Book Week event in Bundaberg Library (August 2018) - Rainbow Child Protection Day in Bundaberg community (September 2018) - Kids Crush Day in Bundaberg community (October 2018) 	10,500	Subcontract labour



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- Childers Read to Me Day in Childers community (September 2018)	Library	Eg Has there been a request for Libraries to donate books?
4. Organise, host or support 4 larger scale community events	3,500	Subcontract labour
- Reading Eggs launches and hatching days community events - Gin Gin and Childers Libraries (dates TBC)	2,000	Resources (paid by separate invoice) \$1200 identified in 2017 ops budget
- Mud Play Event in Childers community (dates tbc)	800	Resources (paid by separate invoice) \$800 identified in 2017 ops budget
- Organise and host "Little Day Out" 0-5 music festival in Bundaberg community (date tbc) associated with: <ul style="list-style-type: none"> ▪ Play School Exhibition at BRAG ▪ Jay Laga'aia Stage Show at Moncrieff ▪ Jay Laga'aia visits to Childcare Services ▪ Georges Marvellous Medicine Stage Show 	2,200	Resources (paid by separate invoice)
5. Planned cross promotion of Bundaberg Regional Libraries and F5F specific activities	1,800	Subcontract labour
6. Evaluation and Reporting <ul style="list-style-type: none"> • Subcontract coordination, monitoring, evaluating and reporting 	5,250	Subcontract labour
	\$63,300	

This combined contractual/operational budget equates to:

1. A contract budget total (labour costs for 4 part-time skilled personnel) of **\$57,600**, invoiced at 50% upon commencement (12/3/18) and 50% at conclusion of extended contract (14/12/18). Personnel are:
 - Wide Bay Kids – Angela Stedman and Jo Hall.
 - From Seedling to Tree and WBK - Agnes Seery
 - Consultant - Angela Williams
2. An operational budget total of **\$5,700** to cover the expenses associated with activities and events in this period (excluding library requirements). These will be paid via separate invoice system (WBK) throughout the contracted period as per existing arrangement with supplier.

**Item****27 February 2018**

Item Number:	File Number:	Part:
P1	.	ENVIRONMENT & NATURAL RESOURCES

Portfolio:

Community & Environment

Subject:

Burger Van Moore Park Beach pursuant to "Commercial Use of Local Government Controlled Areas and Roads" Policy

Report Author:

Geordie Lascelles, Branch Manager - Parks, Sport & Natural Areas

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our Community - 1.1 A supportive business environment that facilitates collaboration and promotes positive economic growth and investment.

Background:

An application for Commercial Use of Local Government Controlled Areas and Roads has been received from Mr David Kett and Mr Christopher Wynne of The Bundy Burger Company on 8 November 2017 and revised on 14 February 2018.

Their proposal is to locate their food van on the grassed area adjacent to the car park for the Moore Park Beach Surf Life Saving Club, on Surf Club Drive (see attached).

This position would be beside the temporary coffee van which was approved by Council in April 2016. The applicant is proposing to sell gourmet burgers and food to order and non-alcoholic drinks. No other businesses selling the same or similar products are located within 1.5 km of the proposed site as the kiosk at the caravan park has been closed for some time.

Hours of operation are requested to be 11 am – 6 pm on weekends and public holidays. This may be varied in future years or for special events. The van is self-sufficient with supplied water and waste water tanks and gas. Extra bins will be supplied by the operators. The operators have spoken to and received support of many of the local businesses including the Surf Club, Tavern, Service Station, and Coffee Van Proprietor.

Associated Person/Organization:

Geordie Lascelles, Branch Manager – Parks, Sport & Natural Areas

Consultation:

Coordinator Environmental Health - G Parsons
Manager Waste & Health Services - G Crawford
Divisional Councillor – Cr JP Bartels
Portfolio Councillor – Cr W Trevor

Legal Implications:

Applicable legislation is Council Local Laws – Commercial Use of Local Government Controlled Areas & Roads, Bundaberg Regional Council Subordinate Local Law No. 1.2

The Bundy Burger Company has a Licence to conduct business under the Queensland Food Act 2006 (Chapter 3).

The approval would be conditioned in accordance with PD-7-291 Commercial Use of Local Government Controlled Areas and Roads Policy

Policy Implications:

The park land is Council freehold in this instance. If the park land is State Land with Council as Trustee, the Land Act and & State Policies on the Secondary Use of Trust Land make application and consideration significantly more complex and onerous.

Financial and Resource Implications:

Annual fee payable to Council for Temporary Commercial Activities in Parks is currently \$731.

Risk Management Implications:

Applicant is required to hold current Public Liability Insurance at all times in accordance with PD-7-291 Commercial Use of Local Government Controlled Areas & Roads Policy.

Communications Strategy:

[Explanation of section – In addressing this section, the Communications Team must be consulted on all reports to determine whether a communication strategy is required]

Communications Team consulted.

- Yes
 No

Attachments:

[↓1 Moore Park Food Van location](#)

Recommendation:

That approval be granted for The Bundy Burger Company to operate a food van on weekends and public holidays on the grassed area adjacent to the car park for the Moore Park Beach Surf Life Saving Club, on Surf Club Drive, Moore Park Beach - subject to ordinary conditions, the conditions of Council's "Commercial Use of Local Government Controlled Areas and Roads" Policy, and payment of the prescribed Annual Fee.



