

DELEGATION OF AUTHORITY

TITLE: ASBESTOS COMPLAINTS

Delegation by the Council to:
 Chief Executive Officer

Date:

Source of Authority:
Local Government Act 2009
Public Health Act 2005 S14

Delegated Power:

1. The Authority to:

DESCRIPTION OF POWER DELEGATED

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

Conditions of Delegation:

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

DELEGATION OF AUTHORITY	
TITLE: BIOSECURITY ACT	
Delegation by the Council to: Chief Executive Officer	Date:
Source of Authority: <i>Local Government Act 2009 Section 257</i> <i>Biosecurity Act 2014</i>	

Delegated Power:

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, in a circumstance listed in subsection (1), to advise an inspector of the presence of the biosecurity matter.	Section 36(2)
Power, in a circumstance listed in subsection (1), to advise an appropriate authorised officer of the presence of the biosecurity matter that is a relevant restricted matter.	Section 42(2)
Power to carry out the main function of a local government under the Act.	Section 48
Power to consult with the Minister.	Section 50(3)
Power to comply with a notice issued by the Minister pursuant to subsection (4).	Section 50(5)
Power to agree with the chief executive that Council cannot achieve substantial compliance with the notice.	Section 51(2)
Power to comply with a request from the Minister for a written report made pursuant to subsection (1).	Section 52(2)
Power to prepare and approve a biosecurity plan for invasive biosecurity matter for Council's area.	Section 53
Power to keep a copy of the biosecurity plan available for inspection.	Section 54
Power to consult with the chief executive about the suitability and priority of the activities.	Section 59
Power to pay the amount required by a notice issued by the Minister pursuant to this section.	Section 60(5)
Power, as a relevant entity, to consult with the chief executive about a proposed making of a code of practice.	Section 105
Power to make written submissions on a proposed guideline.	Section 107
Power to apply to an inspector for a biosecurity emergency order permit.	Section 121
Power to apply to an inspector for a biosecurity instrument permit.	Section 132
Power as a registrable biosecurity entity to apply for registration.	Sections 145 and 147
Power as a registrable biosecurity entity to apply for a registration exemption.	Section 146
Power to make written submissions in response to a notice from the chief executive.	Section 150(3)(b)
Power, in the circumstances, referred to in subsection (1) to apply for deregistration as a biosecurity entity.	Section 152
Power to comply with a requirement of the chief executive made under subsection (2) or (3).	Section 156(2)
Power as a registered biosecurity entity, owner or occupier to give the chief executive a restricted place notice.	Section 160(2)
Power to apply to the chief executive for the removal of the entry for a restricted place from the biosecurity register.	Section 164
Power to apply to the chief executive for the end of a declaration of a designated animal as a restricted animal.	Section 164A

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to apply to the chief executive for the end of a declaration of a designated biosecurity matter as a restricted biosecurity matter.	Section 164B
Power to give the chief executive further information or a document about the application.	Section 165
Power as a registered biosecurity entity to give the chief executive a change notice.	Section 170(2)
Power to apply to the chief executive for a travel approval for the movement of a special designated animal.	Section 181
Power, as a receiver of a special designated animal at a saleyard, to take the action referred to in subsections (a) and (b).	Section 187
Power, as a receiver of a special designated animal at a restricted agricultural show, to take the action referred to in subsection (2).	Section 188
Power, as a receiver of a special designated animal at a place, to take the action referred to in subsection (2).	Section 190
Power, in the circumstances referred to in subsection (1), as a receiver of a special designated animal to advise an inspector of the circumstances in subsection (1).	Section 193(2)
Power, to comply with all reasonable directions the inspector gives.	Section 193(3)
Power, as a relevant person, to create a movement record for a designated animal and to give the record to the conveyor or drover of the animal.	Section 194(2)
Power, as a relevant person, to keep and produce a movement record for a designated animal in accordance with the requirements of this section.	Section 197
Power, as person who receives a copy of a movement record, to keep and produce the copy of the movement record for in accordance with the requirements of this section.	Section 198(2) and (7)
Power, in the circumstances referred to in subsection (4) and as a person who accepts delivery of the animal at the end of the movement, to create, keep and produce a record complying with subsection (6).	Section 198(5) and (7)
Power, as a person having responsibility for the organisation and operation of an agricultural show, to keep a record in the appropriate form for the designated animal.	Section 199
Power to apply for a prohibited matter permit or a restricted matter permit and to take all steps required to bring the application to finalisation and obtain a decision on the application.	Sections 214 and 215
Power to apply for the renewal of a prohibited matter permit or a restricted matter permit and to take all steps required to bring the application to finalisation and obtain a decision on the application.	Sections 225 and 226
Power to comply with a direction of the chief executive issued pursuant to subsection (2).	Section 229
Power to apply for the transfer of a prohibited matter permit or a restricted matter permit.	Section 230
Power to consult with an interested entity about a proposed biosecurity program.	Section 235(3)(d)
Power to consult with the chief executive about a proposed biosecurity program.	Section 239(1)
Power to consult with the chief executive and an invasive animal board before authorising a biosecurity program.	Section 239(2)
Power to give make copies of a biosecurity program authorisation available for inspection and purchase at Council's public office.	Section 241
Power to apply to the court for an order against the person convicted of an offence against the Act to pay the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 358
Power, as a relevant body, to stay the original decision, fix conditions on the stay, fix the period of a stay and revoke a stay.	Section 364
Power, as the issuing authority, after receiving an internal review application to conduct an internal review and make a decision.	Section 365
Power, as the issuing authority, to give notice of an internal review decision.	Section 366
Power, as the issuing authority, to make a new decision following the receipt of directions from the court.	Section 372(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the issuing authority, to give effect to a decision of the court to substitute the internal review decision with a new decision.	Section 372(2)
Power, as the issuing authority for a biosecurity order, to give notice of the amount of the debt.	Section 380(2)
Power to register a charge over the land for an unpaid amount and to release the charge once the unpaid amount has been paid.	Section 381
Power, as a third party, to appear at the hearing of an application for a cost recovery order.	Section 383
Power to enter into a government and industry agreement with the Minister or the chief executive.	Section 391
Power to enter into a compliance agreement with the chief executive.	Section 393
Power to apply to the chief executive to enter into a compliance agreement with the State.	Section 396
Power to give the chief executive further information or a document required to decide the application.	Section 399(1)(b)
Power, as the other party to a compliance agreement, to make written representations to the chief executive following receipt of a show cause notice.	Section 405
Power, as the holder for a relevant authority, to apply to the chief executive to amend the conditions of the authority and to take all steps necessary to obtain a decision on the application.	Sections 479 and 480
Power, as the holder for a relevant authority, to make written representations about the show cause notice to the chief executive.	Section 485
Power, as the holder for a relevant authority, to ask the chief executive to cancel the authority.	Section 490
Power, as the holder for a relevant authority, to comply with a notice requiring the return of the document evidencing the authority.	Section 491(3)

Conditions of Delegation:

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

DELEGATION OF AUTHORITY

TITLE: BODY CORPORATE & COMMUNITY MANAGEMENT

Delegation by the Council to:
Chief Executive Officer

Date:

Source of Authority:
Local Government Act 2009 Section 257
Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011

Delegated Power:

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

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

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer on delegates any of these powers, the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
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DELEGATION OF AUTHORITY	
TITLE: DISASTER MANAGEMENT	
Delegation by the Council to: Chief Executive Officer	Date:
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>Disaster Management Act 2003</i>	

Delegated Power:

1. To exercise the powers of Council pursuant to the *Disaster Management Act 2003*.

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

2. To exercise the powers of Council pursuant to the *Disaster Management Regulation 2014*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to appoint a person to a district disaster management group for a disaster district.	Section 5(1)
Power to inform the chief executive of the department, and the chairperson of the district group, of an appointment under section 5(1).	Section 5(6)
Power to nominate a person to a temporary district disaster management group.	Section 7(1)
Power to appoint a person as a member of a local disaster management group.	Section 9(1)
Power to appoint a chairperson and deputy chairperson of a local disaster management group.	Section 10(1)

Conditions of Delegation:

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

TITLE: ENVIRONMENTAL OFFSET

Delegation by the Council to:	Date:
Chief Executive Officer	

Source of Authority:
Local Government Act 2009 – Section 259
Environmental Offsets Act 2014
Environmental Offsets Regulation 2014

Delegated Power:

- To exercise the powers of Council pursuant to the *Environmental Offsets Act 2014*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to make an environmental offsets policy available for inspection.	Section 12(3)
Power to consider a notice of election and any offset delivery plan.	Section 19(1)
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

- To exercise the powers of Council pursuant to the *Environmental Offsets Regulation 2014*.

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

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
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DELEGATION OF AUTHORITY	
TITLE: FOOD PREMISES	
Delegation by the Council to: Chief Executive Officer	Date:
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>Food Act 2006</i> <i>Food Production Safety Act 2000</i>	

Delegated Power:

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

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to issue a provisional licence, at any time prior to deciding an application for a licence.	Section 64
Power to decide the term of the licence. (Note: not more than 3 years).	Section 67
Power to decide the term of the provisional licence. (Note: not more than 3 months).	Section 68(1)
Power to extend, and further extend, the term of a provisional licence (to a total period of not more than 3 months after the provisional licence was issued).	Section 68(2)
Power to impose reasonable conditions on the licence.	Section 69(1)(e)
Power to consider and renew, or refuse to renew, the licence for an application made under section 72(1) of the Food Act.	Section 72(3)
Power to consider and restore, or refuse to restore, the licence, where application has been made under section 73(1) of the Food Act.	Section 73(3)
Power to consider and amend, or refuse to amend, a licence, where application has been made under section 74(1) of the Food Act.	Section 74(3)
Power to require the applicant to give Council further information or documents Council reasonably requires to decide the application (for an application that is made under Chapter 3, Part 5, Division 2, Subdivision 1, i.e. sections 72(1), 73(1) and 74(1)).	Section 75(1)
Power to give an information notice where Council has failed to decide an application within 30 days of receipt under Chapter 3, Part 5, Division 2, Subdivision 1, i.e. Sections 72(1), 73(1) and 74(1).	Section 77(4)
Power to give a show cause notice.	Section 79(2)
Power to consider representations about a show cause notice.	Section 80(2)
Power to end the show cause process after considering representations made by the licensee.	Section 81
Power to suspend a licence after considering representations (if any).	Section 82(2)(a)
Power to cancel a licence after considering representations (if any).	Section 82(2)(b)
Power to suspend a licence immediately.	Section 83(1)
Power to give an information notice and show cause notice, as required, before suspending a licence pursuant to section 83(1).	Section 83(2)
Power, as the second local government, to take the same action as the first local government (except the power to cancel, suspend impose conditions or other similar action in relation to the licence).	Section 90(1)
Power, as the second local government, to advise the first local government of the thing done or omitted to be done by a licensee of a mobile food business.	Section 91(2)
Power, as the first local government, to take action, in relation to a thing done or omitted to be done by the licensee in the second local government area.	Section 92(2)
Power to consider and grant, or refuse to grant, an application for a replacement licence.	Section 97
Power to consider an application and to accredit, or refuse to accredit, the food safety program.	Section 103(1)
Power to obtain and consider the written advice of an auditor about whether or not the food safety program complies with the criteria in section 104.	Section 103(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	Section 105(1)
Power to give an information notice to the applicant where the application is refused under section 107.	Section 107(4)
Power to decide that more time is needed to make a decision about the application.	Section 108(1)
Power to agree with the applicant, at any time prior to the final consideration day, about the day upon which the application must be decided.	Section 108(3)
Power, after accrediting an applicant's food safety program, to decide how often the program must have compliance audits.	Section 109(2)
Power to determine changes to the frequency of compliance audits for a food safety program accredited by Council.	Section 110
Power to consider an application and approve, or refuse to approve, the amendment of an accredited food safety program.	Section 112(4)
Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	Section 113(1)
Power, by notice, to direct the holder of a Council accredited food safety program to amend the program.	Section 114
Power to give the holder of a food safety program a show cause notice, and to decide the term of the show cause period.	Section 118
Power to consider representations about a show cause notice.	Section 119
Power, after considering written representations by the holder of the accredited food safety program, to take no further action.	Section 120
Power to cancel the accreditation of a food safety program.	Section 121 (2)
Power to conduct a non-conformance audit of a food safety program.	Section 160(2)
Power to approve an improvement notice where remedying the contravention would be likely to stop the food business from operating.	Section 210(2)
Power, as the 'reviewer', to review an original decision under Chapter 3 or Chapter 4 of the Food Act.	Section 237
Power, as reviewer, to, at any time, extend the time to apply for a review.	Section 238(2)
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

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

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

Any Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
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DELEGATION OF AUTHORITY	
TITLE: INTEGRITY ACT	
Delegation by the Council to: Chief Executive Officer	Date:
Source of Authority: <i>Local Government Act 2009 – Section 259</i> <i>Integrity Act 2009</i>	

Delegated Power:

To exercise the powers of Council pursuant to the *Integrity Act 2009*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as responsible person for a government representative, to delegate the obligation to give details under section 71(3) of the Integrity Act 2009 to the integrity commissioner.	Section 71(4)
Power, as responsible person for a government representative, where a lobbyist carries out a lobbying activity with the government representative, to give the integrity commissioner information about the lobbyist or lobbying activity, if the information may be relevant to the integrity commissioner's functions and powers under the Integrity Act 2009.	Section 72A(2)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
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DELEGATION OF AUTHORITY	
TITLE: Land Valuations Act	
Delegation by the Council to: Chief Executive Officer	Date:
Source of Authority: <i>Local Government Act 2009 – Section 259</i> <i>Land Valuations Act 2010</i>	

Delegated Power:

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

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

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer’s letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
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DELEGATION OF AUTHORITY	
TITLE: LIQUOR	
Delegation by the Council to: Chief Executive Officer	Date:
Source of Authority: <i>Local Government Act 2009 – Section 259</i> <i>Liquor Act 1992</i>	

Delegated Power:

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

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

Any Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
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TITLE: LOCAL LAWS	
Delegation by Council to:	Date:
Chief Executive Officer	
Source of Authority:	
<i>Local Government Act 2009 – Section 257 & 259</i> <i>Noosa Shire Council Local Law No. 1 (Administration)2015</i> <i>Noosa Shire Council Subordinate Local Law No. 1 (Administration)2015</i> <i>Noosa Shire Council Local Law No. 2 (Animal Management) 2015</i> <i>Noosa Shire Council Subordinate Local Law No. 2 (Animal Management) 2015</i> <i>Noosa Shire Council Local Law No. 3 (Community and Environmental Management) 2015</i> <i>Noosa Shire Council Subordinate Local Law No. 3 (Community and Environmental Management) 2015</i> <i>Noosa Shire Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015</i> <i>Noosa Shire Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015</i> <i>Noosa Shire Council Local Law No. 5 (Parking) 2015</i> <i>Noosa Shire Council Subordinate Local Law No. 5 (Parking) 2015</i> <i>Noosa Shire Council Local Law No. 6 (Bathing Reserves) 2015</i> <i>Noosa Shire Council Subordinate Local Law No. 6 (Bathing Reserves) 2015</i>	

Delegated Power:

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

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

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

Conditions of Delegation:

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

² Subject to the *Planning Act 2016*

DELEGATION OF AUTHORITY	
TITLE: <i>Procurement & Contracting</i>	
Delegation by the Council to:	Date:
Chief Executive Officer	
Source of Authority:	
<i>Local Government Act 2009 – Sections 257, 259, 262</i>	
<i>Local Government Regulation 2012 – Sections 225 to 228, 230 to 235 and 238</i>	

Delegated Power:

1. To exercise the powers of the local government under the *Local Government Act 2009* (the **Act**) and the *Local Government Regulation 2012* (the **Regulation**) including the authority to:
 - (a) undertake the following procurement and contracting activities:
 - (i) invite written quotes for medium-sized contractual arrangements;
 - (ii) invite written tenders for large-sized contractual arrangements;
 - (iii) invite expressions of interest (following Council resolution);
 - (iv) invite offers for the sale of valuable non-current assets (other than sale of land) by written tender or auction; and
 - (b) make, enter into, amend or discharge contracts (established by the aforementioned methods) for up to \$1,000,000 (excluding GST) for the:
 - (i) procurement of goods and services (including contracts about carrying out of works);
 - (ii) the disposal of valuable non-current assets (but not the sale of land);
 - (iii) the disposal of goods and assets (that are valuable non-current assets).
 - (c) make, enter into, amend or discharge contracts from the following properly established medium-sized and large-sized contractual arrangements:
 - (i) quote or tender consideration plan;
 - (ii) approved contractor list;
 - (iii) register of pre-qualified suppliers;
 - (iv) preferred supplier arrangement;
 - (v) LGA arrangement;
 - (vi) an entity resolved by Council as a sole supplier;
 - (vii) an entity resolved by Council as providing specialised or confidential services;
 - (viii) when a genuine emergency exists;
 - (ix) the contract is for the goods and is made by auction;

- (x) the contract is for second-hand goods; or
- (xi) the contract is made with, or under an arrangement with, a government agency.
- (d) make, enter into, amend or discharge contracts for valuable non-current asset exceptions, subject to legislative conditions and Council resolution:
 - (i) disposal of an interest by renewal to an existing tenant of the land;
 - (ii) disposal of an interest in land to a person who owns the adjoining land;
 - (iii) disposal of an interest in land by lease for a telecommunications tower;
 - (iv) disposal of a valuable non-current asset, other than land, by way of a trade-in for the supply of goods and services; or
 - (v) following Ministerial exemption (Council resolution not required).
- (e) authorise payments under a properly established contract;
- (f) authorise the issue of purchase cards up to the approved limit; and
- (g) authorise statutory payments and specific system payments.

Any Conditions of Delegation:

1. The Delegated Officer may make, amend or discharge a contract for Council if-
 - (a) Council's expenditure for the contract has been provided for in the approved annual budget for-
 - (i) the financial year when the contractual action is taken; or
 - (ii) the financial year in which the delegation is made, if the expenditure is within the limits stated in the resolution making the delegation; or
 - (b) The contractual action has been taken because of genuine emergency or hardship.
2. The delegated officer may exercise the delegated powers on behalf of Council subject to:
 - (a) compliance with relevant legislation, policies, guidelines and procedures; and
 - (b) the accepted offer is the most advantageous to Council.

DELEGATION OF AUTHORITY

TITLE: PUBLIC HEALTH

Delegation by the Council to:
Chief Executive Officer

Date:

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

Delegated Power:

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to administer and enforce the Act regarding local government public health risks and a regulation made under section 61 stating that the regulation is to be administered and enforced by local governments only.	Section 13
Power, as an issuing authority, to apply to a magistrate for an order enforcing a public health order (an enforcement order).	Section 24(2)
Power, as an issuing authority, to enter a place to take steps to remove or reduce the risk to public health from the public health risk or prevent the risk to public health from recurring, if ordered by a magistrate.	Section 27(2)(b)
Power, as an issuing authority, to recover the amount, plus interest, a person has been ordered to pay under an enforcement order as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 31
Power to lodge a request to register with the registrar of titles, in the appropriate form over the land, an unpaid amount, including interest, that is payable to Council under an enforcement order relating to a public health risk on land owned by a person as a charge on the land.	Section 32
Power to consult with the chief executive before the chief executive authorises a prevention and control program which relates to Council's local government area.	Section 36(5)
Power, as a water service provider ³ , to inform the authorised person that Council believes that it has complied with an improvement notice issued under this division.	Section 57B
Power to enter into an agreement with the chief executive for the disclosure of confidential information.	Sections 84(1)(b)(i) and (2)(a), 226(1)(b)(i) and (2)(a), 244(1)(b)(i) and (2)(a), and 269(1)(b)(i) and (2)(a)

³ Excludes SE Qld Councils

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an issuing authority, to enter the place, at reasonable times, to take the steps stated in a public health order where the person has failed to comply the order.	Section 388(2)
Power, as an issuing authority, to give the occupier and owner of a place a notice required under the section, where an authorised person intends to enter the place to take steps required under a public health order.	Section 393(2)
Power, as an issuing authority, to recover the amount payable, including interest, of the reasonable costs and expenses incurred by Council in exercising powers under section 388 or 405 as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 406
Power, as an issuing authority, to lodge with the registrar of titles, in the appropriate form over the land, a request to register an unpaid amount, including interest, that is payable to Council for steps taken by it on land owned by a person as a charge on the land.	Section 407
Power, as an owner of a thing seized by an authorised person, to inspect the thing and, if it is a document, to copy it.	Section 415
Power to apply to the court for an order against a person convicted of an offence against the Act for the payment of the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 443(1)(b)
Power to deal with a thing forfeited as Council considers appropriate, including destroying the thing.	Section 446
Power, as an owner of a thing forfeited to a relevant entity under section 413(1), to appeal against a decision resulting in the forfeiture of the thing.	Section 450
Power to recover contribution from a prescribed person.	Section 454B(3) Public Health Act 2005
Power to comply with the indemnity conditions in relation to each asbestos-related event to which the official conduct relates.	Section 454C(2) Public Health Act 2005
Power to give notice of the proceeding to the State.	Section 454CA(2) Public Health Act 2005
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 Public Health Act 2005
Power to keep the records prescribed in subsections 454I(1), (2) for each asbestos-related event.	Section 454I Public Health Act 2005

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to administer and enforce Part 1A, Divisions 1, 2 and 3.	Sections 2C, 2M, and 2T
Power to approve a site for the disposal of asbestos waste.	Section 2I(2)(c)

Conditions of Delegation:

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

DELEGATION OF AUTHORITY

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

Delegation by the Council to:

Chief Executive Officer

Date:

Source of Authority:

Local Government Act 2009 – Section 257

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

Delegated Power:

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to administer and enforce the Act for Council's area.	Section 9
Power to consider all applications for licences, and determine whether to grant or refuse the application.	Section 33
Power to grant an application for a licence only if Council is satisfied—the applicant is a suitable person to hold a licence; and the premises at which the higher risk personal appearance services are to be provided are suitable for providing the services.	Section 34
Power to have regard to the matters listed in this section in deciding whether a person is a suitable person to hold a licence.	Section 35
Power to have regard to all the matters listed in this section in deciding whether the premises at which higher risk personal appearance services are to be provided are suitable for providing the services.	Section 36
Power to make inquiries before making a decision regarding sections 35 and 36 and, by giving notice to the applicant, require the applicant to give Council, within the reasonable time of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide the application.	Section 37
Power to impose conditions on a licence.	Sections 38(2) and 41(1)(c)
Power to decide the earlier ending date of a licence.	Section 40
Power to consider all applications for renewals of licences, and determine whether to grant or refuse the application for renewal.	Section 44
Power to give a notice to a licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide a licence renewal application.	Section 45
Power to consider all applications for amendments to licences, and determine whether to grant or refuse the application to amend the licence.	Section 47

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

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

Any Conditions of Delegation:

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

DELEGATION OF AUTHORITY	
TITLE: PUBLIC INTEREST DISCLOSURES	
Delegation by the Council to: Chief Executive	Date:
Source of Authority: <i>Local Government Act 2009 Section 257</i> <i>Public Interest Disclosure Act 2010</i>	

Delegated Power:

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

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

Conditions of Delegation:

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

DELEGATION OF AUTHORITY	
TITLE: RIGHT TO INFORMATION	
Part 1 - Delegation by the Council to: Chief Executive Officer	Date:
Part 2 - Delegation by the Chief Executive Officer to:	Date approved:
Source of Authority: <i>Local Government Act 2009– Section 257</i> <i>Right to Information Act 2009</i>	

Delegated Power:

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to disclose information under a publication scheme, without limiting another way Council may disclose information.	Section 22
Power to give access to a document created after the application is received but before notice is given under section 54.	Section 27(2)
Power to search for a document from a backup system if Council considers the search appropriate.	Section 29(2)
Power to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access application.	Section 30(5)(b)
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
Power to make an agreement with the applicant to extend the prescribed period.	Section 36(7)
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)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
<p>Power to decide that:</p> <ul style="list-style-type: none"> (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)
<p>Power to transfer the application to another agency if—</p> <ul style="list-style-type: none"> (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)
<p>Power to deal with an access application even if this Act provides that the Council may refuse to deal with the application.</p>	Section 39(3)
<p>Power to refuse to deal with the access application without having identified any or all of the documents if—</p> <ul style="list-style-type: none"> (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
<p>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.</p>	Section 41(1)
<p>Power to make an agreement with an applicant to extend the prescribed consultation period.</p>	Section 42(6)(b)
<p>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—</p> <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (i) the applicant had been given notice under section 68 of that Act that access was to be given to the document sought or to some or all the documents sought; or (ii) Council had decided that the application was for a document to which chapter 3 of that Act does not apply; or (iii) Council had decided t the document or documents sought were documents access to which was refused under section 67 of that Act; or (iv) Council had refused to deal with it under chapter 3, part 4 of that Act; or (d) Council's decision on the first application— <ul style="list-style-type: none"> (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)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to refuse access to a document of the Council.	Section 47(3)
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)
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)
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)
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)
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)
Power to satisfy itself in dealing an application for access to a document that is non-existent or un-locatable, 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)
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)
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)
Power to give access to a document in one or more of the prescribed forms in section 68(1).	Section 68(1)
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)
Power to give access to a document in another form agreed to by the applicant	Section 68(8)
Power to allow an additional period during which a person may access a document.	Section 69(2)
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)
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
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
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

DESCRIPTION OF POWER DELEGATED	LEGISLATION
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)
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)
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)
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
Power to apply to the information commissioner to participate in an external review if Council is affected by the decision the subject of the external review.	Section 89(2)
Power to apply to the information commissioner to allow Council further time to deal with the access application which has become the subject of an application for an external review concerning a deemed decision in relation to an access application.	Section 93(1)
Power, as a participant in an external review, to apply to the information commissioner to correct an error in a written decision of the commissioner.	Section 111(2)
Power, as a participant in an external review, to make a request to the information commissioner to refer a question of law arising on an external review to the Queensland Civil and Administrative Tribunal.	Section 118 (1)
Power, as a participant in an external review, to appeal to the appeal tribunal against a decision of the information commissioner on the external review.	Section 119
Power to make an application to the information commissioner to extend the 10 year period during which disclosure of certain information cannot be made.	Schedule 4, Part 4, section1(3)

Conditions of Delegation:

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

DELEGATION OF AUTHORITY

TITLE: STATUTORY BODIES FINANCIAL ARRANGEMENTS

Delegation by the Council to:

Date:

Chief Executive Officer

Source of Authority:

Statutory Bodies Financial Arrangements Act 1982

Delegated Power:

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

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

Conditions of Delegation:

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

TITLE: SURVEY AND MAPPING INFRASTRUCTURE

Delegation by the Council to:
Chief Executive Officer

Date:

Source of Authority:
Local Government Act 2009 – Section 257
Survey Mapping and Infrastructure Act 2003

Delegated Power:

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

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

Any Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer’s letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
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DELEGATION OF AUTHORITY	
TITLE: TORUMS - TRANSPORT OPERATIONS (ROAD USE MANAGEMENT)	
Delegation by the Council to: Chief Executive Officer	Date:
Source of Authority: <i>Local Government Act 2009 – Section 257</i> <i>Transport Operations (Road Use Management) Act 1995</i>	

Delegated Power:

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

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

Any Conditions of Delegation:

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