



# **MINUTES**

## **GENERAL MEETING**

**Wednesday, 16 June 2021**

**The Council Chambers  
91 - 93 Bloomfield Street  
CLEVELAND QLD**

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**GENERAL MEETING  
HELD AT THE COUNCIL CHAMBERS, 91 - 93 BLOOMFIELD STREET, CLEVELAND QLD  
ON WEDNESDAY, 16 JUNE 2021 AT 9.30AM**

**1        DECLARATION OF OPENING**

The Mayor declared the meeting open at 9.32am and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets.

The Mayor also paid Council's respect to their elders, past and present, and extended that respect to other indigenous Australians who were present.

**2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE**

**MEMBERS PRESENT:** Cr Karen Williams (Mayor), Cr Wendy Boglary (Division 1), Cr Peter Mitchell (Division 2), Cr Paul Gollè (Division 3), Cr Lance Hewlett (Division 4), Cr Mark Edwards (Division 5), Cr Julie Talty via teleconference (Deputy Mayor and Division 6), Cr Rowanne McKenzie (Division 7), Cr Tracey Huges (Division 8), Cr Adelia Berridge (Division 9), Cr Paul Bishop (Division 10)

**EXECUTIVE LEADERSHIP TEAM:** Andrew Chesterman (Chief Executive Officer), John Oberhardt (General Manager Organisational Services), Louise Rusan (General Manager Community & Customer Services), Dr Nicole Davis (General Manager Infrastructure & Operations), Deborah Corbett-Hall (Chief Financial Officer), Andrew Ross (General Counsel), Amanda Daly (Head of People, Culture and Organisational Performance)

**MINUTES:** Danielle O'Driscoll (Corporate Meetings & Registers Coordinator)

**LEAVE OF ABSENCE**

Nil

**COUNCILLOR ABSENCES DURING THE MEETING**

Cr Julie Talty entered the meeting at 9.33 am via teleconference (after Item 2)

Cr Adelia Berridge left the meeting at 11.07 am and returned at 11.09 am (during Item 14.4)

Cr Paul Bishop left the meeting at 12:01 pm and returned at 12:04 pm (during Item 15.1)

Cr Paul Gollè left the meeting at 1:22 pm and returned at 1:29 pm (during closed session)

Cr Peter Mitchell left the meeting at 1:49 pm and returned at 1:50 pm (during closed session)

Cr Mark Edwards left the meeting at 1:51 pm and returned at 1:59 pm (during closed session)

Cr Lance Hewlett left the meeting at 1:54 pm and returned at 2:06 pm (during closed session)

Cr Wendy Boglary left the meeting at 1:54 pm and returned at 1:57 pm (during closed session)

**2.1 TELECONFERENCING****COUNCIL RESOLUTION 2021/139**

**Moved by:** Cr Rowanne McKenzie

**Seconded by:** Cr Paul Gollè

**That Councillor Julie Talty be permitted to participate in the meeting via teleconference.**

**CARRIED 10/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

Cr Julie Talty did not participate in the vote.



**3        DEVOTIONAL SEGMENT**

Pastor David Hunt from the Cleveland Baptist Church also a member of the Minister's Fellowship led Council in a brief Devotional segment.

#### 4 RECOGNITION OF ACHIEVEMENT

##### 4.1 JANINE VINE - SECRETARY OF THE AQUATIC PARADISE RATEPAYERS' ASSOCIATION

Mayor Karen Williams recognised resident Janine Vine for her contribution to the community, Council and the Aquatic Paradise Ratepayers' Association (APRA):

*This morning I would like to acknowledge the contribution to Redlands Coast of a wonderful resident. Janine Vine will step down in September as the long-serving secretary of the Aquatic Paradise Ratepayers' Association. She took on the role when the association was re-formed in 2009 and has been there ever since.*

*I wouldn't even want to try and count up the hundreds, more like thousands, of hours of volunteer work Janine has given to the association and creditably assisted Council in doing their work. Janine was critical to building a really strong partnership between the association and our Council and I believe it is a benchmark for the community and council relations not just across Redlands but across the region and the State.*

*Janine has certainly been a stable part of the association over the years, and always a pleasure for Councillors and Council officers to work with. She is pleasant, respectful and capable – these words accurately describe Janine Vine.*

*Over the years Janine and the association have achieved much in partnership with Council, and as Mayor I appreciate the collaborative working relationship we have shared over those years. This has allowed us to get things done – like planning for a major dredge program, Janine communicating with resident members of the association to advise of Council plans for Aquatic Paradise, lobbying Council for extra lighting to counter anti-social behaviour in the estate and having association expertise assist us in so many other ways -even preparing minutes from our regular meetings. Janine has been there through it all.*

*But now she says it's time to move on. Her last hurrah will be her formal 'retirement' at the September AGM for the Aquatic Paradise Ratepayers' Association.*

*I want to acknowledge Janine's dedication, thoughtfulness and dependability which has certainly not gone unnoticed. Janine is indeed a legend.*

*On behalf of Council, I would genuinely like to offer our heartfelt thanks to Janine Vine for what she has done for the association, and for our community, over the years. I can honestly say, due to Janine's commitment she has left the association in a much better place. Thank you Janine.*

Councillor Paul Bishop also recognised resident Janine Vine for her contribution to the community:

*Due to this incredible public servant and 23 years of commitment as the secretary associated with this organisation, they has saved millions of dollars and woven together what would otherwise be the frayed patience of an easily fractured community. Acknowledgment of the practice of the dredge community coming together has by far saved millions of dollars for Council and has allowed citizens to participate in a probity process that used their local knowledge.*

*It is an extraordinary contribution from Janine, not only did she perform a role as a neighbourhood watch gatekeeper and an overseer of that community, she lead immediate actions that required participation by locals. She dutiably reported back to officers promptly and mutually.*

*The most critical part of what Janine has achieved is an irreplaceable component going forward for the Aquatic Paradise community and the associated canal and lake estates. Her ability to have personal, public, private and professional relationships with everyone allowed the movement of*

*boats during the dredging program and this is a level of personal care where her husband also needs to be acknowledged John Vine, has been right by Janine's side the whole time and given up thousands of hours with her. I wish them all the very best going forward.*

*The APRA committee have a responsibility going forward to manage their affairs. We will do what we can, although there are limitations. Janine has gone above and beyond and she deserves every accolade and recognition. We wish her all the best and will stand by to do what can only fall short of what she has done for the community. Janine is an extraordinary lady and we wish her and John all the best for many years, for hopefully retirement, as they have always conducted a business at the same time as doing this for the community.*

#### **4.2 QUEEN'S BIRTHDAY HONOURS RECIPIENTS**

Mayor Karen Williams recognised three members of the community who made the 2021 Queen's Birthday Honours list:

*The 2021 Queen's Birthday Honours list includes three people who have made significant contributions to our Redlands Coast community. The Honours acknowledge the work over very many years for Ken Dickson, Sandra Cowley and Tim Keeler. They are among 157 Queenslanders who were honoured this year.*

*Former banker Ken Dickson, of Cleveland, has been an enthusiastic volunteer helping local police for more than 20 years. His voluntary work has earned him an Order of Australia Medal. This selfless work has seen Ken coordinating policing volunteers for Wynnum, Cleveland, Redland Bay and Capalaba police stations, being a foundation member of Bayside Crime Stoppers and working with the District Crime Prevention Coordination Unit for the South Brisbane District for 12 years. It is estimated Ken has provided more than 10,000 hours of his time to assist police.*

*Tim Keeler has been recognized for significant service to the Redlands Coast and Logan communities through a range of roles and services to education and the community. Tim has done much work assisting victims of domestic and family violence in both cities. Well known for his role as deputy head at Faith Lutheran College junior school at Victoria Point, Tim also served as board member and acting chair of Logan and Redlands Regional Development Australia Fund.*

*The third recipient is Capalaba paramedic Sandra Cowley, who has been awarded the Ambulance Service Medal for dedicated service over her distinguished career. Sandra's roles since beginning her career at Cleveland station in 1991 have included area manager, officer-in-charge, area director, clinical support officer and critical care paramedic.*

*On behalf of Council and the Redlands Coast community I congratulate this trio on their continued service and commitment to our community.*

**5 RECEIPT AND CONFIRMATION OF MINUTES****5.1 GENERAL MEETING MINUTES 19 MAY 2021****COUNCIL RESOLUTION 2021/140**

Moved by: Cr Tracey Huges

Seconded by: Cr Paul Bishop

That the minutes of the General Meeting held on 19 May 2021 be confirmed.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**5.2 SPECIAL MEETING MINUTES 27 MAY 2021****COUNCIL RESOLUTION 2021/141**

Moved by: Cr Rowanne McKenzie

Seconded by: Cr Peter Mitchell

That the minutes of the Special Meeting held on 27 May 2021 be confirmed.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**6 DECLARATION OF PRESCRIBED CONFLICT OF INTERESTS AND DECLARABLE CONFLICT OF INTERESTS****6.1 DECLARABLE CONFLICT OF INTEREST – CR MARK EDWARDS**

Councillor Mark Edwards declared a Declarable Conflict of Interest in relation to Bay Island Aquatic Centre stating that the aquatic centre is in Division 5 and may be seen as only benefiting the island community. Cr Edwards also stated that the aquatic centre is open to everyone, no matter where they live and that he understands that mainland residents have and do use the swimming pool and that the employment opportunities are also available for people beyond the islands and past lifeguards have been from the mainland.

Councillor Edwards considered his position and was firmly of the opinion that he could participate in the discussion and vote on the matter in the public interest at both future Statutory and Non-Statutory Meetings of Council.

A motion was put as follows:

**COUNCIL RESOLUTION 2021/142**

**Moved by: Cr Rowanne McKenzie**

**Seconded by: Cr Peter Mitchell**

**That Councillor Mark Edwards may participate in meetings in relation to the Bay Islands Aquatic Centre for all future Statutory Meetings (including voting on the matter), Non-Statutory and Informal Meetings of Council in relation to this matter.**

**CARRIED 10/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

Cr Mark Edwards did not participate in the vote.

The motion was CARRIED as Council was of the opinion that Councillor Edwards had no greater interest in the matter than that of other people in the local government area.



**6.2 DECLARABLE CONFLICT OF INTEREST – MAYOR KAREN WILLIAMS**

Mayor Karen Williams declared a Declarable Conflict of Interest in Item 15.2 *Draft Land Management Plan - Temporary Commercial use of Public Open Space (Council trustee reserves)* stating that that her and her husband own an approved wedding venue at Mount Cotton and it could be considered/perceived that using public land for entertainment (wedding) is competition to their business.

Mayor Williams considered her position and was firmly of the opinion that she could participate in the discussion and vote on the matter in the public interest.

Deputy Mayor Julie Talty assumed the Chair while the vote was taken.

A motion was put as follows:

**COUNCIL RESOLUTION 2021/143**

**Moved by:** Cr Wendy Boglary

**Seconded by:** Cr Mark Edwards

**That Mayor Karen Williams may participate in the meeting in relation to Item 15.2 *Draft Land Management Plan - Temporary Commercial use of Public Open Space (Council trustee reserves)*, and for all future Statutory Meetings (including voting on the matter), Non-Statutory and Informal Meetings of Council in relation to this matter.**

**CARRIED 10/0**

Crs Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

Cr Karen Williams did not participate in the vote.

The motion was CARRIED as Council was of the opinion that Mayor Karen Williams had no greater interest in the matter than that of other people in the local government area.

Mayor Williams remained in the room and voted FOR the motion at Item 15.2. (Refer Item for details).

**7 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETINGS****7.1 INVESTIGATIONS TO POTENTIALLY ACQUIRE ADDITIONAL LAND FOR SPORT AND RECREATION PURPOSES**

At the General Meeting 18 December 2019 (Item 19.3 refers), Council resolved as follows:

*That the petition be received and referred to the Chief Executive Officer for consideration and a report to the local government.*

A report will be brought to a future meeting of Council.

**7.2 REDLANDS ECONOMIC DEVELOPMENT ADVISORY BOARD UPDATE**

At the General Meeting 2 December 2020 (Item 14.4 refers), Council resolved as follows:

*That Council resolves as follows:*

1. *To note this report.*
2. *To note the Redlands Economic Development Advisory Board Annual Report 2019-20 (Attachment 1).*
3. *To note that officers will undertake a review of the Redlands Economic Development Advisory Board and provide a further report to Council.*

A report addressing this matter was discussed at Item 19.1 of this agenda.

**7.3 EXPRESSIONS OF INTEREST CAMPAIGN - REDLANDS COAST TOURIST AND COMMUNITY DESTINATION, MACARTHUR ST, ALEXANDRA HILLS**

At the General Meeting 2 December 2020 (Item 19.2 refers), Council resolved as follows:

*That Council resolves as follows:*

- 1. To note the outcomes of the Expressions of Interest Campaign for a Tourist Park and associated community uses that has now finished, and that no tourism-related proposals were received.*
- 2. To hold discussions with proponents of non-tourism related purposes to understand how other proposals may fit into the planning for development of the land that align with Council's policies and plans.*
- 3. To workshop with Councillors, the outcome of these discussions.*
- 4. To provide a further report to Council in regards to the site upon completion of item 3 above.*
- 5. That this report and attachments remain confidential to ensure proposed commercial arrangements and details pertaining to individuals are kept private, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.*

A report will be brought to a future meeting of Council.

**7.4 REPORT REVIEWING THE FUTURE OPERATIONS OF REDLAND INVESTMENT CORPORATION PTY LTD (RIC)**

At the General Meeting 16 December 2020 (Item 19.1 refers), Council resolved as follows:

*That Council resolves to request the Chief Executive Officer to:*

- 1. Review the objectives of Redland Investment Corporation and develop options for an operating model that supports Council's future economic development and place-making projects.*
- 2. Undertake a review of Council's Economic Development Advisory Board in conjunction with this review.*
- 3. Prepare a report for Council by 30 June 2021 that positions Redland Investment Corporation or an alternative structure to drive the Redlands Coast economic recovery and more generally its longer term economic development.*
- 4. Note this report will be published with the meeting minutes, subject to maintaining Attachment 1, Redland Investment Corporation Commercial Summary, as confidential and commercial in confidence.*

A report addressing this matter was discussed at Item 19.1 of this agenda.

**7.5 NOTICE OF MOTION - ASSESSMENT BENCHMARKS FOR ARTIFICIAL WATER BODIES**

At the General Meeting 21 April 2021 (Item 17.2 refers), Council resolved as follows:

*That Council resolves to request officers to undertake the following:*

1. *To prepare a report to Council by the end of July 2021 which:*
  - a) *Provides options and recommendations related to assessment benchmarks in the City Plan for artificial waterbodies and buffers to waterways (for the purposes of flood protection).*
  - b) *Evaluates the pros and cons of making reconfiguring a lot impact assessable where all land within the Recreation and Open Space zone is not proposed to be contained within a single lot.*
2. *To prepare a major amendment as part of the next general amendment package, pursuant to Part 4 of the Minister's Guideline's and Rules under the Planning Act 2016, if required, incorporating the proposed changes to City Plan as supported by Council.*

A report will be brought to the next General Meeting of Council on 21 July 2021.

**7.6 UPDATE ON CITY PLAN MAJOR AMENDMENT (01/21): ENVIRONMENTAL SIGNIFICANCE OVERLAY**

At the General Meeting 19 May 2021 (Item 14.3 refers), Council resolved as follows:

1. *To note that in accordance with Council resolution 19.2 of the General Meeting 17 March 2021 a proposed major amendment to City Plan has been prepared to provide an enhanced level of statutory land use planning protection to environmental corridors in the Urban Footprint, as identified in the Wildlife Connections Plan 2018-2028.*
2. *To note that further work is being undertaken to support the proposed major amendment, including a communications plan and consideration of a range of non-statutory measures to support affected landowners prior to its public release.*
3. *That a further report be presented to Council by the end of September 2021 that outlines the further work undertaken, together with the proposed major amendment to City Plan for Council consideration.*

A report will be brought to Council by September 2021 as per the resolution.

**7.7 OUTCOMES OF ECONOMIC NEEDS ASSESSMENT - SHORT STAY FACILITIES FOR SELF-CONTAINED RECREATIONAL VEHICLES AND CARAVANS ON THE REDLANDS COAST**

At the General Meeting 19 May 2021 (Item 15.2 refers), Council resolved as follows:

1. *To note the contents of the report including the executive summary of the Economic Needs Assessment at Attachment 1.*
2. *To endorse Council's role as facilitator or advocate for the establishment of a short stay facilities for self-contained recreational vehicles and caravans.*
3. *To invite Expressions of Interest in accordance with s.228 of the Local Government Regulation 2012 from community or not-for-profit organisations to operate and manage a short stay facility for self-contained recreational vehicles and caravans for Council owned or managed land identified as preferred sites within the report.*
4. *That a report be brought back to Council outlining the outcomes of the Expressions of Interest process.*
5. *To continue to support and work with existing commercial campground and caravan park operators.*

A report will be brought to a future meeting of Council.



**8 MAYORAL MINUTE**

Nil

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**9 PUBLIC PARTICIPATION**

Nil

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**10      PETITIONS AND PRESENTATIONS**

Nil

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**11      MOTION TO ALTER THE ORDER OF BUSINESS**

Nil

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**12 REPORTS FROM THE OFFICE OF THE CEO****12.1 REMOVING AND RETIRING COUNCIL STRATEGIES AND PLANS****Objective Reference:** A5354541**Authorising Officer:** Amanda Daly, Head of People, Culture & Organisational Performance**Responsible Officer:** Mark Morris, Service Manager, Strategy and Transformation**Report Author:** Jodi Poulsen, Acting Senior Adviser Corporate Strategy and Performance**Attachments:** 1. List of Strategies and Plans that are proposed to be Retired and Removed [↓](#)**PURPOSE**

To seek approval to remove or retire a number of strategies and plans, including Redland City Council legacy land management plans, which are no longer current.

**BACKGROUND**

A recent audit of the Corporate Register of Strategic Planning Instruments (the Corporate Register) has identified a number of strategies or plans which are either out of date, legacy land management plans or documents that should be classified as a report and not a strategy or plan.

The Strategy and Transformation Team reviewed all Strategies and Plans on the Corporate Register and made recommendations to Service Managers and Strategic Planners on those strategies or plans for retirement, closure or amendment.

These groups have now confirmed that 29 of the 112 strategies and plans on the Corporate Register should be removed.

**ISSUES**

The audit undertaken in 2020 identified strategies and plans that have expired or are more than five years old and no longer necessary, or are superseded with new strategies or plans. Redland City Council's new Corporate Plan *Our Future Redlands – A Corporate Plan to 2026 and Beyond* was adopted by Council on 16 December 2020 and is due to commence on 1 July 2021. Therefore, it is timely for plans and strategies that are no longer current to be formally retired or removed from the Corporate Register.

The Corporate Register currently includes a number of reports that included recommendations or actions to be implemented. Some of these reports date back to 2004 and are not aligned to the current Strategic Planning Framework. It is recommended they be reclassified as 'reports' and removed from the Corporate Register.

The Corporate Register also includes a number of land management plans that are now outdated. Under the *Land Act 1962*, land held in trust by local authorities required a land management plan. Land management plans set out management of intent of the land and secondary use of land. The actions identified in the management plans that are included in Attachment 1 are no longer relevant. It is recommended that they be removed from the Corporate Register.

Redland City Council's new Corporate Plan *Our Future Redlands – A Corporate Plan to 2026 and Beyond* was adopted by Council on 16 December 2020. This plan supersedes the former Corporate

Plan and the Redlands City Community Plan 2030. A number of strategies and plans will therefore require review to ensure alignment with the new Corporate Plan. These reviews will be undertaken by Groups, subject to availability of resources. A future report, or reports, will be brought to Council as necessary to consider any recommendations that result from these reviews.

Attachment 1 provides a list of strategies and plans for retirement, closure or amendment with supporting justification from Service Managers.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

The Local Government Act requires Council to prepare a five year corporate plan that outlines its strategic direction for each period of five financial years.

In addition, Council has a statutory duty of care under the *Land Act 1994* to manage Trust land (where Council is the trustee) with the State's interests in mind for the benefit of the people of Queensland by having regard to the *Land Act 1994* principles of sustainability, protection, consultation and community purpose. Council's obligation is to maintain the land in a good condition. This would entail preventing land degradation and contamination and requires the implementation of good management practices. Through land management planning, trustees can define what this responsibility means to the trust land under their control and how that responsibility will be discharged.

Council's legal obligation is satisfied through the Conservation Land Management Strategy 2010-2020, which is to be retained.

### **Risk Management**

No risks have been identified in relation to retiring, closing or amending the strategies or plans.

### **Financial**

There are no financial implications associated with this report.

### **People**

The staff resourcing required to make the proposed amendment will be primarily drawn from the Strategy and Transformation Team of Council's People, Culture and Organisational Performance Group.

### **Environmental**

There are no environmental implications associated with this report.

### **Social**

There are no social implications associated with this report.

### **Human Rights**

Consideration has been taken to human rights and this report complies with s.58(5) of the *Human Rights Act 2019*.

### Alignment with Council's Policy and Plans

The purpose of this report is to better facilitate the implementation of the Redland City Council's new Corporate Plan *Our Future Redlands – A Corporate Plan to 2026 and Beyond*, which was adopted by Council on 16 December 2020 and will commence 1 July 2021.

### CONSULTATION

Consulted	Consultation Date	Comments/Actions
Senior Adviser Open Space Strategy	31 July 2020	Supported recommendations
Senior Adviser - Environment	12 August 2020	Supported recommendations
Policy and Strategy Officer	19 August 2020	Supported recommendations
Service Manager Strengthening Communities	20 August 2020	Supported recommendations
Service Manager Civic and Open Space Asset Manager	28 August 2020	Supported recommendations
Service Manager City Sport and Venues	1 September 2020	Supported recommendations
All Group Managers	14 January 2021 to 12 February 2021	Confirmed support for recommendations

### OPTIONS

#### Option One

That Council resolves as follows:

1. To note the findings of the audit of the Corporate Register of Strategic Planning Instruments.
2. To remove the Plans and Strategies identified in Attachment 1 from the Corporate Register of Strategic Planning Instruments.

#### Option Two

That Council resolves as follows:

1. To note the findings of the audit of the Corporate Register of Strategic Planning Instruments.
2. To amend Attachment 1 prior to approving to remove the Plans and Strategies identified in Attachment 1 from the Corporate Register of Strategic Planning Instruments.

#### Option Three

That Council resolves as follows to note the findings of the audit of the Corporate Register of Strategic Planning Instruments.

### OFFICER'S RECOMMENDATION

1. To note the findings of the audit of the Corporate Register of Strategic Planning Instruments.
2. To remove the Plans and Strategies identified in Attachment 1 from the Corporate Register of Strategic Planning Instruments.

Option Three was moved as follows:

**COUNCIL RESOLUTION 2021/144**

Moved by: Cr Paul Bishop  
Seconded by: Cr Lance Hewlett

**That Council resolves as follows to note the findings of the audit of the Corporate Register of Strategic Planning Instruments.**

**LOST 2/9**

Crs Lance Hewlett and Paul Bishop voted FOR the motion.

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges and Adelia Berridge voted AGAINST the motion.

The motion was LOST and the Officer's recommendation was moved as follows:

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/145**

Moved by: Cr Mark Edwards  
Seconded by: Cr Tracey Huges

**That Council resolves as follows:**

- 1. To note the findings of the audit of the Corporate Register of Strategic Planning Instruments.**
- 2. To remove the Plans and Strategies identified in Attachment 1 from the Corporate Register of Strategic Planning Instruments.**

**CARRIED 9/2**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges and Adelia Berridge voted FOR the motion.

Crs Lance Hewlett and Paul Bishop voted AGAINST the motion.



**Attachment 1 - List of strategies and plans that are proposed to be retired and removed from the Corporate Register of Strategies and Plans**

	Strategy or Plan Title	Department	Criteria for removal
1	Eprapah Creek Waterway Management Plan 2004	Community and Customer Services	Expired
2	Reaching for Waterway Recovery - A Strategy for Redland City Council to 2030	Community and Customer Services	Expired (will be removed on commencement of new plan)
3	Redlands Youth Strategy 2015-2020	Community and Customer Services	Expired
5	Community Gardens Strategy 2011	Community and Customer Services	Expired
6	Amity Point Sport and Recreation Reserve Land Management Plan 2007	Infrastructure and Operations	Expired
7	Bayview Conservation Area Trails Facility concept and Development Plan 2015	Infrastructure and Operations	Expired
8	Conservation Management Plan - Point Lookout Gorge Walk	Infrastructure and Operations	Expired
9	Coochiemudlo Island Land Management Plan	Infrastructure and Operations	Expired
10	Heinemann Road Implementation Action Plan	Infrastructure and Operations	Expired
11	Judy Holt Sportsfields Landscape Master Plan Review Report 2011 - 2021	Infrastructure and Operations	Expired
12	Pinklands Sporting Complex Master Plan	Infrastructure and Operations	More closely aligned to a report
13	Redland Bay Centre and Foreshore Master Plan 2009	Infrastructure and Operations	Expired
14	Redland Shire Parks Play Strategy 2005	Infrastructure and Operations	More than five years old
15	Redland Track Park Concept and Development Plan 2012	Infrastructure and Operations	Expired
16	Scribbly Gum Conservation Area - Land Management Plan 2003	Infrastructure and Operations	Expired
17	Serpentine Creek Road Cemetery: Site and Habitat Management Plan 2008-2028	Infrastructure and Operations	More closely aligned to a report
18	Terra Bulla Leumeah Land Management Plan 2004	Infrastructure and Operations	Expired
19	Victoria Point Reserve Land Management Plan	Infrastructure and Operations	Expired
20	Henry Ziegenfusz Park Master Plan - original and 2016 update	Infrastructure and Operations	More closely aligned to a report
21	Isle of Coochie Golf Course Land Management Plan 2008	Infrastructure and Operations	Expired

	Strategy or Plan Title	Department	Criteria for removal
22	Land Management Plan - Greater Glider Conservation Area 2002	Infrastructure and Operations	Expired
23	McMillan Road Conservation Area Management Plan 1998	Infrastructure and Operations	Expired
24	Norm Price Park - Redland Showgrounds Land Management Plan 2010	Infrastructure and Operations	Expired
25	Redland Community Physical Activity Strategy 2011	Infrastructure and Operations	Expired
26	Redlands Cricket Strategy 2011 - 2021	Infrastructure and Operations	More closely aligned to a report
27	Redlands Netball Strategy 2011 - 2021	Infrastructure and Operations	More closely aligned to a report
28	Information Management Strategic Plan 2016-2019	Organisational Services	Expired (will be removed on commencement of new plan)
29	Redland City Tourism Strategy and Action Plan 2015 - 2020	Organisational Services	Expired (will be removed on commencement of new plan)

**13 REPORTS FROM ORGANISATIONAL SERVICES****13.1 MAY 2021 MONTHLY FINANCIAL REPORT****Objective Reference:** A5435174**Authorising Officer:** Deborah Corbett-Hall, Chief Financial Officer**Responsible Officer:** Deborah Corbett-Hall, Chief Financial Officer**Report Author:** Udaya Panambala Arachchilage, Corporate Financial Reporting Manager**Attachments:** 1. Monthly Financial Report RCC May 2021 [↓](#)**PURPOSE**

To note the year to date financial results as at 31 May 2021.

**BACKGROUND**

Council adopts an annual budget and then reports on performance against the budget on a monthly basis. This is not only a legislative requirement but enables the organisation to periodically review its financial performance and position and respond to changes in community requirements, market forces or other outside influences.

**ISSUES*****Estimated Statement of Financial Position 2020-2021***

Council officers are currently preparing the 2020-2021 Estimated Statement of Financial Position to be tabled at the Special Budget Meeting. The estimated financial position is based on Council's actual financial position and results as at 30 April 2021. It will also include the May to June budgeted movements as adopted by Council during the 2020-2021 Annual Budget Review on 17 February 2021. The estimated financial position and financial performance do not include accruals or deferrals and other adjustments that would ordinarily be considered as part of the end of year processes.

***Development of Budget 2021-2022***

Council officers are currently compiling submissions for the 2021-2022 annual budget.

**STRATEGIC IMPLICATIONS**

Council has either achieved or favourably exceeded the following key financial stability and sustainability ratios as at the end of 31 May 2021.

- Operating surplus ratio
- Net financial liabilities
- Level of dependence on general rate revenue
- Ability to pay our bills – current ratio
- Ability to repay our debt – debt servicing ratio
- Cash balance
- Cash balances – cash capacity in months
- Longer term financial stability – debt to asset ratio
- Operating performance

- Interest coverage ratio

The asset sustainability ratio did not meet the target at the end of 31 May 2021 and continues to be a stretch target for Council with renewal spends of \$27.65M and depreciation expense of \$52.52M year to date on infrastructure assets. This ratio is an indication of how Council currently maintains, replaces and renews its existing infrastructure assets as they reach the end of their useful lives. Capital spend on non-renewal projects increases the asset base and therefore increases depreciation expense, resulting in a lower asset sustainability ratio.

Council's Capital Portfolio Prioritisation Administrative Directive demonstrates its commitment to maintaining existing infrastructure and the adoption of a renewal strategy for its existing assets ahead of 'upgrade' and/or 'new' works.

**Legislative Requirements**

The 31 May 2021 financial report is presented in accordance with the legislative requirement of section 204(2) of the *Local Government Regulation 2012*, requiring the Chief Executive Officer to present the financial report to a monthly Council meeting.

**Risk Management**

The 31 May 2021 financial report has been noted by the Executive Leadership Team and relevant officers who can provide further clarification and advice around actual to budget variances.

**Financial**

There is no direct financial impact to Council as a result of this report; however it provides an indication of financial outcomes at the end of 31 May 2021.

**People**

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

**Environmental**

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

**Social**

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

**Human Rights**

There are no human rights implications for this report as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

**Alignment with Council's Policy and Plans**

This report has a relationship with the following items of Council's 2018-2023 Corporate Plan:

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich

residents' participation in local decision-making to achieve the community's Redlands 2030 vision and goals.

- 8.2 Council produces and delivers against sustainable financial forecasts as a result of best practice Capital and Asset Management Plans that guide project planning and service delivery across the city.

## CONSULTATION

Consulted	Date	Comment
Council departmental officers	Year to date 31 May 2021	Consulted on financial results and outcomes
Financial Services Group officers	Year to date 31 May 2021	Consulted on financial results and outcomes
Executive Leadership Team and Senior Leadership Team	Year to date 31 May 2021	Recipients of variance analysis between actual and budget. Consulted as required

## OPTIONS

### Option One

That Council resolves to note the financial position, results and ratios for 31 May 2021 as presented in the attached Monthly Financial Report.

### Option Two

That Council resolves to request additional information.

## OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/146

Moved by: Cr Mark Edwards

Seconded by: Cr Rowanne McKenzie

That Council resolves to note the financial position, results and ratios for 31 May 2021 as presented in the attached Monthly Financial Report.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.



# Monthly Financial Report

## May 2021



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### 1. EXECUTIVE SUMMARY

This monthly report illustrates the financial performance and position of Redland City Council compared to its adopted budget at an organisational level for the period ended 31 May 2021. The year to date and annual revised budget referred to in this report incorporates the changes from budget review adopted by Council on 17 February 2021.

#### Key Financial Highlights and Overview

Key Financial Results (\$000)	Annual Revised Budget	YTD Revised Budget	YTD Actual	YTD Variance	YTD Variance %	Status Favourable ✓ Unfavourable ✗
Operating Surplus / (Deficit)	(1,397)	10,827	<b>16,668</b>	5,841	54%	✓
Recurrent Revenue	304,599	286,172	<b>285,543</b>	(629)	0%	✗
Recurrent Expenditure	305,996	275,345	<b>268,875</b>	(6,470)	-2%	✓
Capital Works Expenditure	102,202	70,554	<b>54,580</b>	(15,974)	-23%	✓
Closing Cash & Cash Equivalents	167,495	199,215	<b>191,101</b>	(8,114)	-4%	✗

Council reported a year to date operating surplus of \$16.67M which is favourable to budget by \$5.84M due to less than budget recurrent expenditure. The favourable variance in recurrent expenditure is mainly due to a favourable variance in materials and services which is primarily due to underspend in contractor costs. Of note, interest income is lower than budget due to lower than expected interest rates on investments, noting the RBA cash rate is at a historical low of 0.10%.

Capital grants, subsidies and contributions are below budget due to timing of developer cash contributions.

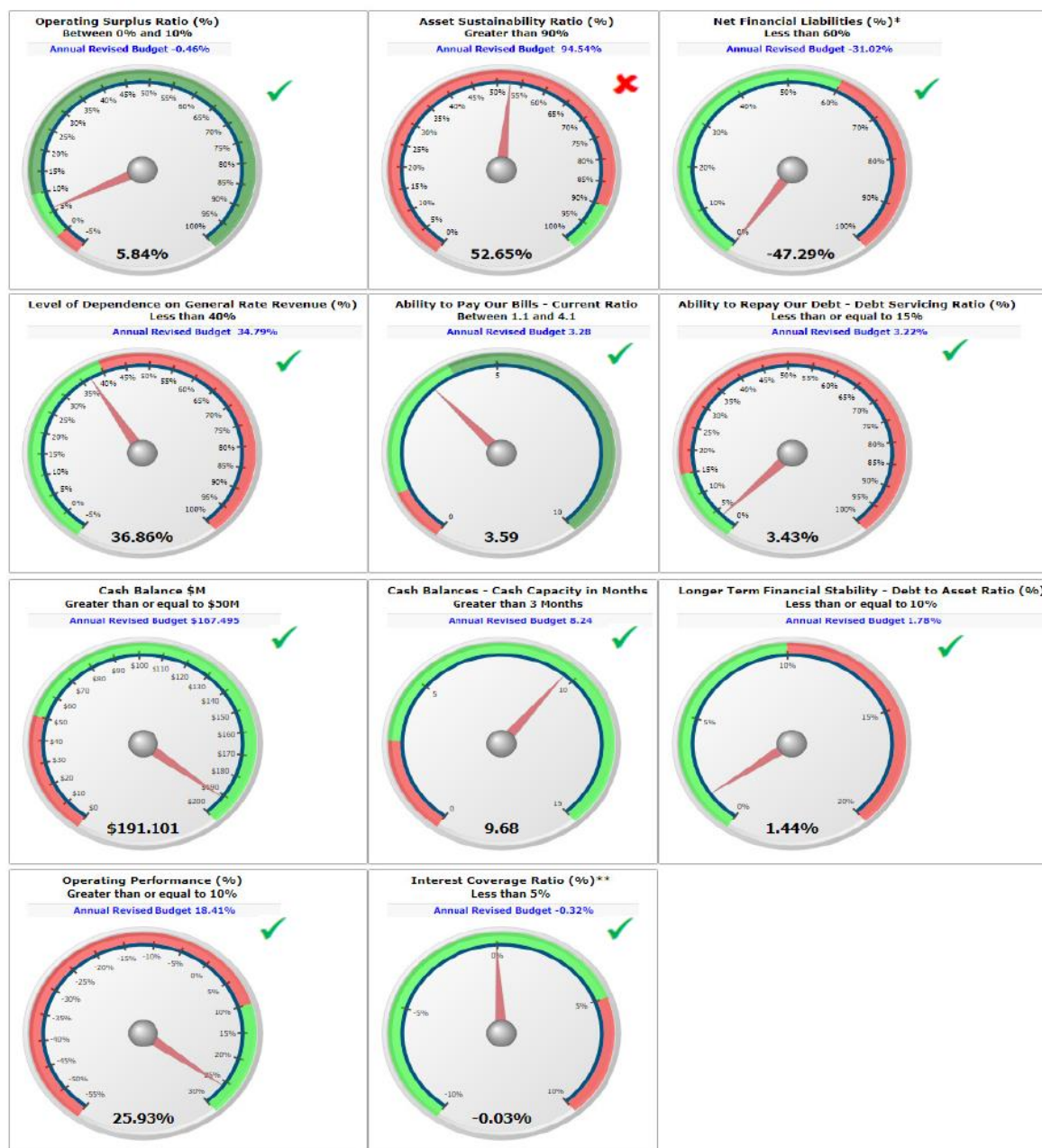
Council's capital works expenditure is below budget by \$15.97M mainly due to timing of works for a number of projects including the Kinross road intersection upgrade, Wellington Street upgrade, Canaipa Point Drive footpath upgrade, Russell Island ferry terminal, sewer manhole refurbishment, Weinam Creek development and Boundary Road trunk sewer.

Constrained cash reserves represent 56% of the cash balance.



## 2. KEY PERFORMANCE INDICATORS

■ Target met 
 ■ Target exceeded 
 ■ Target not met



\* The net financial liabilities ratio exceeds the target range when current assets are greater than total liabilities (and the ratio is negative)

\*\* The interest coverage ratio exceeds the target range when interest revenue is greater than interest expense (and the ratio is negative)



## 3. STATEMENT OF COMPREHENSIVE INCOME

STATEMENT OF COMPREHENSIVE INCOME					
For the period ending 31 May 2021					
	Annual	Annual	YTD	YTD	YTD
	Original Budget \$000	Revised Budget \$000	Revised Budget \$000	Actual \$000	Variance \$000
<b>Recurrent revenue</b>					
Rates charges	108,926	108,926	108,842	108,246	(596)
Levies and utility charges	160,082	160,082	147,986	147,301	(685)
Less: Pensioner remissions and rebates	(3,430)	(3,430)	(3,392)	(3,493)	(101)
Fees	13,554	13,999	12,358	13,701	1,343
Rental income	956	1,069	909	1,085	176
Interest received	2,999	2,899	2,649	1,839	(810)
Sales revenue	3,630	3,740	3,192	3,194	2
Other income	533	712	710	1,180	470
Grants, subsidies and contributions	14,896	16,603	12,918	12,490	(428)
<b>Total recurrent revenue</b>	<b>302,146</b>	<b>304,599</b>	<b>286,172</b>	<b>285,543</b>	<b>(629)</b>
<b>Recurrent expenses</b>					
Employee benefits	91,988	93,095	84,912	85,700	788
Materials and services	145,591	146,725	129,741	123,177	(6,564)
Finance costs	2,382	2,382	2,181	2,139	(42)
Depreciation and amortisation	64,938	64,931	59,533	59,454	(79)
Other expenditure	520	509	461	260	(201)
Net internal costs	(1,800)	(1,646)	(1,483)	(1,855)	(372)
<b>Total recurrent expenses</b>	<b>303,619</b>	<b>305,996</b>	<b>275,345</b>	<b>268,875</b>	<b>(6,470)</b>
<b>OPERATING SURPLUS / (DEFICIT)</b>	<b>(1,473)</b>	<b>(1,397)</b>	<b>10,827</b>	<b>16,668</b>	<b>5,841</b>
<b>Capital revenue</b>					
Grants, subsidies and contributions	25,922	37,486	28,684	18,756	(9,928)
Non-cash contributions	3,480	3,480	1,612	2,278	666
<b>Total capital revenue</b>	<b>29,402</b>	<b>40,966</b>	<b>30,296</b>	<b>21,034</b>	<b>(9,262)</b>
<b>Capital expenses</b>					
(Gain) / loss on disposal of non-current assets	289	289	265	1,521	1,256
<b>Total capital expenses</b>	<b>289</b>	<b>289</b>	<b>265</b>	<b>1,521</b>	<b>1,256</b>
<b>TOTAL INCOME</b>	<b>331,548</b>	<b>345,565</b>	<b>316,468</b>	<b>306,577</b>	<b>(9,891)</b>
<b>TOTAL EXPENSES</b>	<b>303,908</b>	<b>306,285</b>	<b>275,610</b>	<b>270,396</b>	<b>(5,214)</b>
<b>NET RESULT</b>	<b>27,641</b>	<b>39,280</b>	<b>40,858</b>	<b>36,181</b>	<b>(4,677)</b>
<b>Other comprehensive income / (loss)</b>					
Items that will not be reclassified to a net result					
Revaluation of property, plant and equipment	-	-	-	-	-
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>27,641</b>	<b>39,280</b>	<b>40,858</b>	<b>36,181</b>	<b>(4,677)</b>

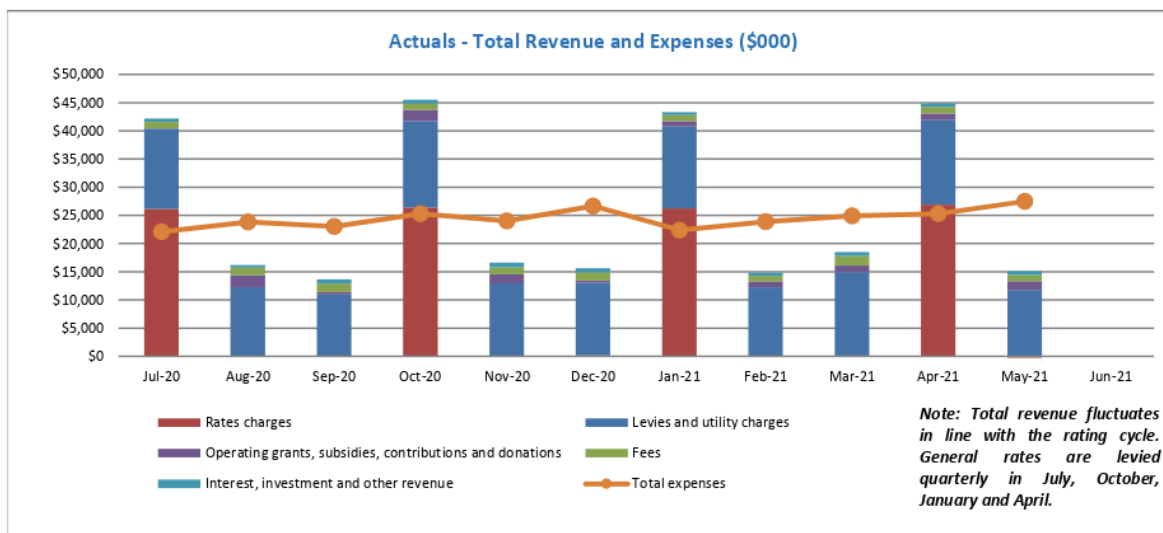
## Monthly Financial Report

## 3. STATEMENT OF COMPREHENSIVE INCOME - CONTINUED

LEVIES AND UTILITY CHARGES ANALYSIS					
For the period ending 31 May 2021					
	Annual	Annual	YTD	YTD	YTD
	Original	Revised	Revised Budget	Actual	Variance
	Budget	Budget			
	\$000	\$000	\$000	\$000	\$000
<b>Levies and utility charges</b>					
Refuse collection rate charge	29,127	29,127	26,663	26,866	203
SES separate charge	497	497	496	495	(1)
Environment separate charge	8,388	8,388	8,387	8,340	(47)
Separate charge landfill remediation	2,163	2,163	1,982	1,971	(11)
Wastewater charges	47,842	47,842	43,796	43,551	(245)
Water access charges	20,120	20,120	18,418	18,389	(29)
Water consumption charges	51,945	51,945	48,244	47,689	(555)
<b>Total levies and utility charges</b>	<b>160,082</b>	<b>160,082</b>	<b>147,986</b>	<b>147,301</b>	<b>(685)</b>
<b>MATERIALS AND SERVICES ANALYSIS</b>					
For the period ending 31 May 2021					
	Annual	Annual	YTD	YTD	YTD
	Original	Revised	Revised Budget	Actual	Variance
	Budget	Budget			
	\$000	\$000	\$000	\$000	\$000
<b>Materials and services</b>					
Contractors	38,549	39,268	34,039	30,736	(3,303)
Consultants	2,813	3,449	3,026	1,933	(1,093)
Other Council outsourcing costs*	23,063	20,917	18,516	18,071	(445)
Purchase of materials	53,059	54,893	49,000	48,408	(592)
Office administration costs	11,685	11,648	10,218	10,494	276
Electricity charges	5,748	5,624	5,129	5,079	(50)
Plant operations	3,548	3,543	3,196	2,994	(202)
Information technology resources	3,067	3,474	3,161	2,835	(326)
General insurance	1,646	1,457	1,336	1,206	(130)
Community assistance**	1,777	1,828	1,534	944	(590)
Other material and service expenses	636	624	586	477	(109)
<b>Total materials and services</b>	<b>145,591</b>	<b>146,725</b>	<b>129,741</b>	<b>123,177</b>	<b>(6,564)</b>

\* Other Council outsourcing costs are various outsourced costs including refuse collection and disposal, waste disposal, legal services, traffic control, external training, valuation fees, etc.

\*\* Community assistance costs represent community related costs including community grants, exhibitions and awards, donations and sponsorships.



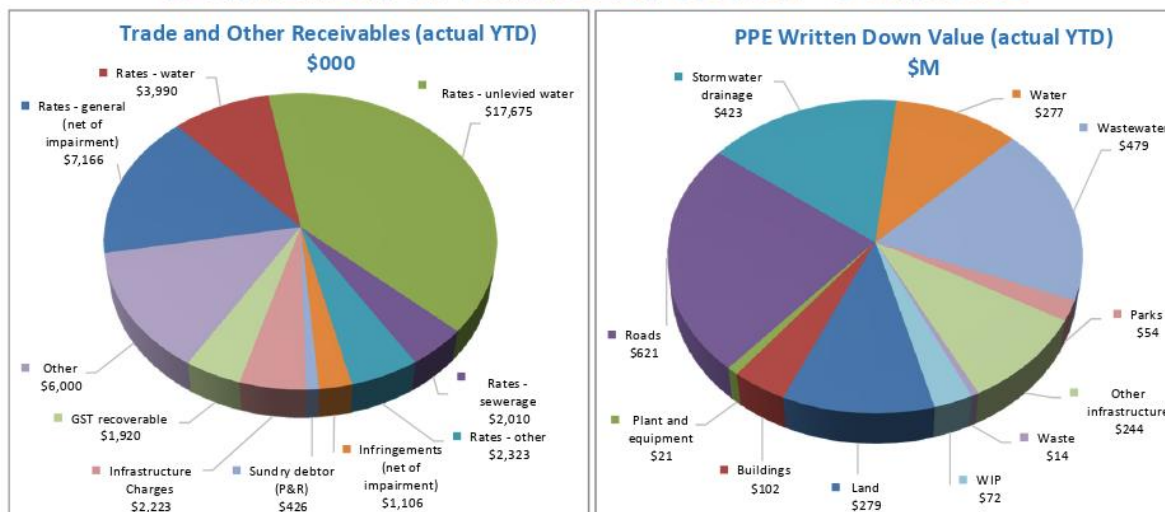
## 4. STATEMENT OF FINANCIAL POSITION

STATEMENT OF FINANCIAL POSITION As at 31 May 2021				
	Annual Original Budget \$'000	Annual Revised Budget \$'000	YTD Revised Budget \$'000	YTD Actual \$'000
<b>CURRENT ASSETS</b>				
Cash and cash equivalents	169,264	167,495	199,215	191,101
Short-term investment - CBA	-	-	-	10,000
Trade and other receivables*	45,924	44,200	44,365	44,839
Inventories	918	853	855	749
Non-current assets held for sale	-	118	118	-
Other current assets	1,955	2,956	2,955	4,075
<b>Total current assets</b>	<b>218,061</b>	<b>215,621</b>	<b>247,508</b>	<b>250,764</b>
<b>NON-CURRENT ASSETS</b>				
Investment property	1,091	1,225	1,225	1,225
Property, plant and equipment	2,572,288	2,629,009	2,601,179	2,585,784
Intangible assets	486	1,682	1,719	1,751
Right-of-use assets	5,919	5,876	5,964	5,825
Other financial assets	73	73	73	73
Investment in other entities**	13,101	13,101	13,101	12,657
<b>Total non-current assets</b>	<b>2,592,958</b>	<b>2,650,965</b>	<b>2,623,261</b>	<b>2,607,315</b>
<b>TOTAL ASSETS</b>	<b>2,811,018</b>	<b>2,866,586</b>	<b>2,870,769</b>	<b>2,858,079</b>
<b>CURRENT LIABILITIES</b>				
Trade and other payables	28,839	41,895	45,350	33,439
Borrowings - current	6,361	8,326	8,326	8,326
Lease liability - current	1,302	1,294	1,294	1,294
Provisions - current	10,769	12,188	12,373	14,100
Other current liabilities	-	1,960	10,594	12,710
<b>Total current liabilities</b>	<b>47,271</b>	<b>65,663</b>	<b>77,937</b>	<b>69,869</b>
<b>NON-CURRENT LIABILITIES</b>				
Borrowings - non-current	37,900	35,840	26,079	26,062
Lease liability - non-current	5,481	5,469	5,561	5,535
Provisions - non-current	15,120	14,162	14,162	14,259
<b>Total non-current liabilities</b>	<b>58,501</b>	<b>55,470</b>	<b>45,802</b>	<b>45,856</b>
<b>TOTAL LIABILITIES</b>	<b>105,772</b>	<b>121,133</b>	<b>123,739</b>	<b>115,725</b>
<b>NET COMMUNITY ASSETS</b>	<b>2,705,246</b>	<b>2,745,453</b>	<b>2,747,030</b>	<b>2,742,354</b>
<b>COMMUNITY EQUITY</b>				
Asset revaluation surplus	1,008,120	1,035,840	1,035,840	1,035,840
Retained surplus	1,580,316	1,605,281	1,599,899	1,599,440
Constrained cash reserves	116,810	104,333	111,291	107,074
<b>TOTAL COMMUNITY EQUITY</b>	<b>2,705,246</b>	<b>2,745,453</b>	<b>2,747,030</b>	<b>2,742,354</b>

\* Included \$3.41M loan drawn down by Redland Investment Corporation (RIC) from February to May 2021. Current loan receivable from RIC is \$3.50M.

\*\* \$444K movement is due to transfer back of 521 Old Cleveland Road East Birkdale land from RIC to Council. This amount is also reflected as an increase in Property plant & equipment.

## 4. STATEMENT OF FINANCIAL POSITION - CONTINUED



### RIGHT-OF-USE ASSETS

For the period ending 31 May 2021

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual Balance \$000
<b>Right-of-use asset</b>				
Buildings	2,780	2,697	2,749	2,770
Land	2,763	2,815	2,847	2,858
Plant and Equipment	376	364	368	197
<b>Closing balance</b>	<b>5,919</b>	<b>5,876</b>	<b>5,964</b>	<b>5,825</b>

### PROPERTY, PLANT AND EQUIPMENT (PPE) MOVEMENT\*

For the period ending 31 May 2021

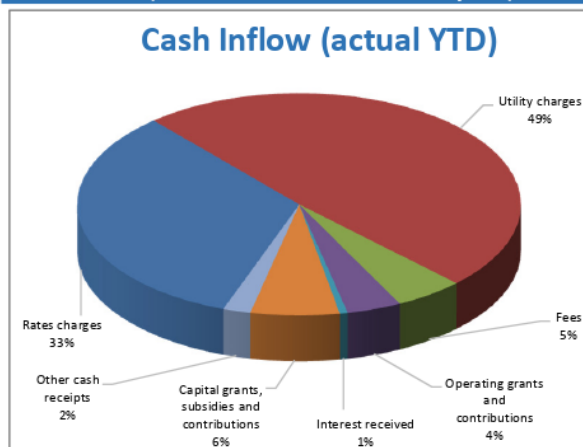
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual Balance \$000
<b>PPE movement</b>				
Opening balance (includes WIP from previous years)	2,556,325	2,588,458	2,588,458	2,588,458
Acquisitions, Asset transfers and WIP in year movement	81,096	105,684	72,165	56,696
Depreciation in year	(63,282)	(63,282)	(58,008)	(57,585)
Disposals	(1,851)	(1,851)	(1,436)	(2,248)
Other adjustments**	-	-	-	463
<b>Closing balance</b>	<b>2,572,288</b>	<b>2,629,009</b>	<b>2,601,179</b>	<b>2,585,784</b>

\* This table includes movement relating to property, plant and equipment only and is exclusive of intangible assets.

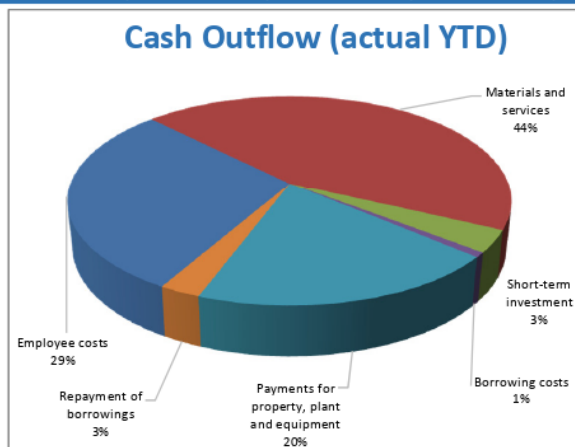
\*\* Other adjustments include transfers between asset classes, revaluation adjustments, prior period adjustments and depreciation thereon.

## 5. STATEMENT OF CASH FLOWS

STATEMENT OF CASH FLOWS For the period ending 31 May 2021				
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>				
Receipts from customers	276,486	278,920	272,712	277,817
Payments to suppliers and employees	(239,435)	(241,818)	(213,090)	(215,025)
	37,051	37,101	59,622	62,792
Interest received	2,999	2,899	2,649	1,839
Rental income	956	1,069	909	1,085
Non-capital grants and contributions	14,483	16,189	12,849	12,487
Borrowing costs	(2,052)	(2,052)	(2,052)	(2,048)
Right-of-use assets interest expense	(144)	(144)	(132)	(135)
<b>Net cash inflow / (outflow) from operating activities</b>	<b>53,294</b>	<b>55,063</b>	<b>73,845</b>	<b>76,020</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>				
Payments for property, plant and equipment	(77,614)	(102,202)	(70,554)	(56,836)
Payments for intangible assets	-	-	-	(162)
Proceeds from sale of property, plant and equipment	1,562	1,562	1,172	846
Capital grants, subsidies and contributions	25,922	39,186	30,384	20,351
Short-term investment - CBA	-	-	-	(10,000)
Other cash flows from investing activities*	-	-	-	(3,410)
<b>Net cash inflow / (outflow) from investing activities</b>	<b>(50,131)</b>	<b>(61,455)</b>	<b>(38,998)</b>	<b>(49,211)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>				
Proceeds of borrowings	9,612	9,612	-	-
Repayment of borrowings	(6,361)	(6,361)	(6,361)	(6,369)
Right-of-use lease payment	(1,294)	(1,265)	(1,172)	(1,240)
<b>Net cash inflow / (outflow) from financing activities</b>	<b>1,957</b>	<b>1,986</b>	<b>(7,533)</b>	<b>(7,609)</b>
<b>Net increase / (decrease) in cash held</b>	<b>5,120</b>	<b>(4,406)</b>	<b>27,314</b>	<b>19,200</b>
Cash and cash equivalents at the beginning of the year	164,145	171,901	171,901	171,901
<b>Cash and cash equivalents at the end of the financial year / period</b>	<b>169,264</b>	<b>167,495</b>	<b>199,215</b>	<b>191,101</b>



<b>Total Cash Funding (Actual YTD)</b>	<b>314,425</b>
Total Cash Funding (Annual Revised Budget)	349,437
% of Budget Achieved YTD	90%

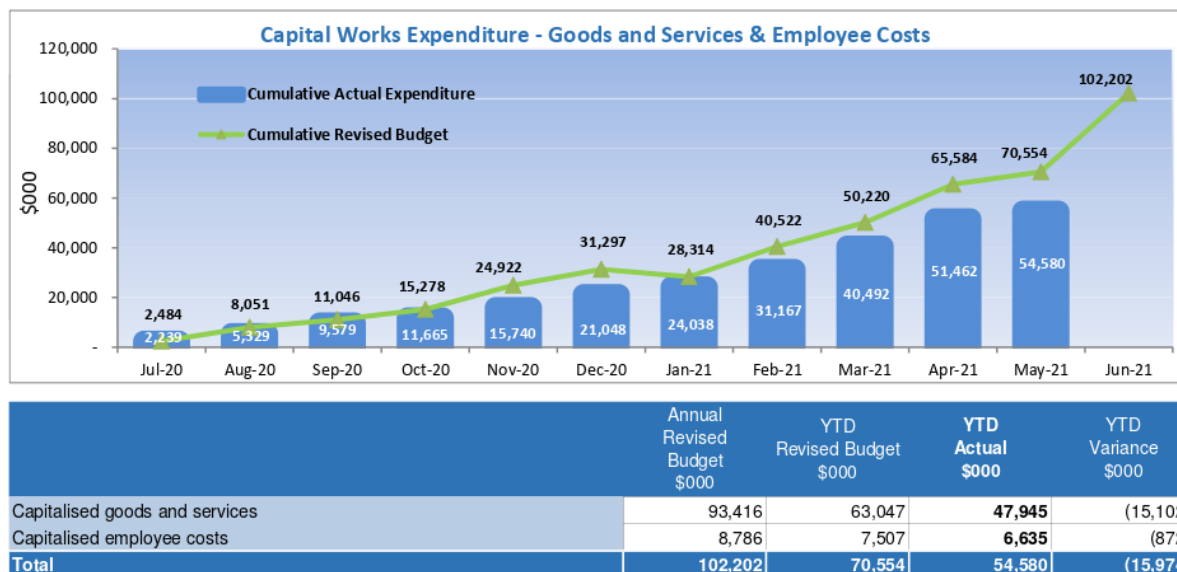


<b>Total Cash Expenditure (Actual YTD)</b>	<b>295,225</b>
Total Cash Expenditure (Annual Revised Budget)	353,842
% of Budget Achieved YTD	83%

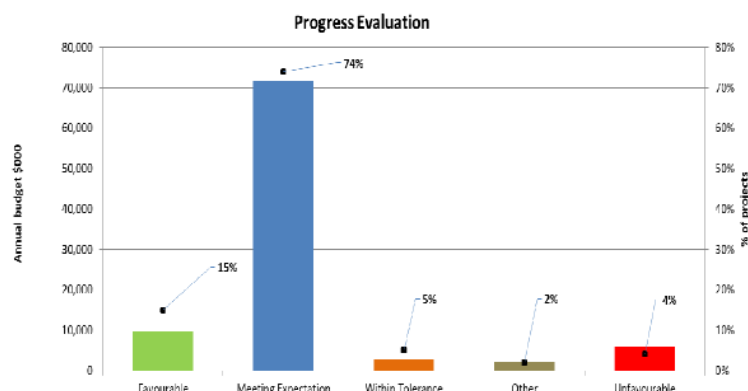
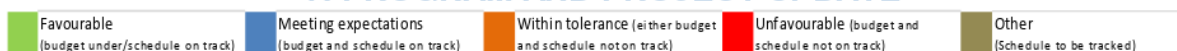
\* Loan drawn down by RIC from February to May 2021.



## 6. CAPITAL EXPENDITURE



## 7. PROGRAM AND PROJECT UPDATE



Programs and projects are what Council uses to introduce change to achieve corporate outcomes. They allow new infrastructure, products, systems, procedures and services to be delivered. Projects may be undertaken on a standalone basis or as part of a program. Programs and projects may span multiple financial years.

Council is currently progressing more than 100 programs and projects.

## Notable Projects

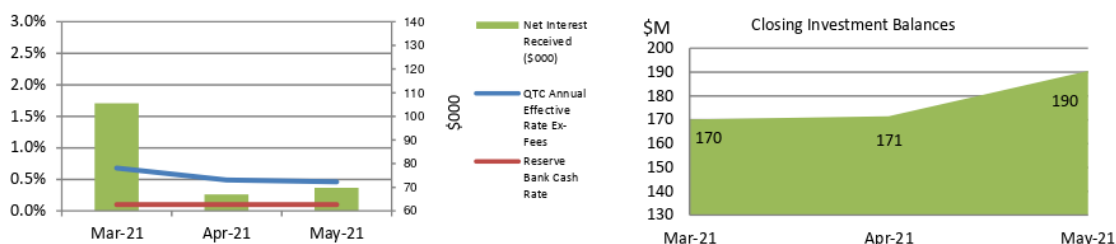
The status of two notable projects are as follows:

Project description	Progress
<b>Build Fibre Optic Connecting 6 Council Sites Together</b> This project will deliver critical fibre connections for Redland City Council and the community, connecting multiple Council operations across the city, critical data centres which host production and disaster recovery capabilities, and essential services.	Meeting Expectation
<b>Redlands Coast Eastern Hinterland Experience</b> This project will provide multi-use fire trails, mountain biking downhill tracks, shared used trails and visitor infrastructure, connecting neighbouring trail networks, accommodation and businesses, providing a unique regional destination with recreation and tourism value.	Favourable

## 8. INVESTMENT &amp; BORROWINGS REPORT

For the period ending 31 May 2021

## INVESTMENT RETURNS - QUEENSLAND TREASURY CORPORATION (QTC)



Total QTC Investment at End of Month was \$190.49M

Council investments are currently held predominantly in the Capital Guaranteed Cash Fund, which is a fund operated by the Queensland Treasury Corporation (QTC). In October 2020 \$10M was invested in a term deposit of Commonwealth Bank of Australia (CBA) to maximise interest earnings.

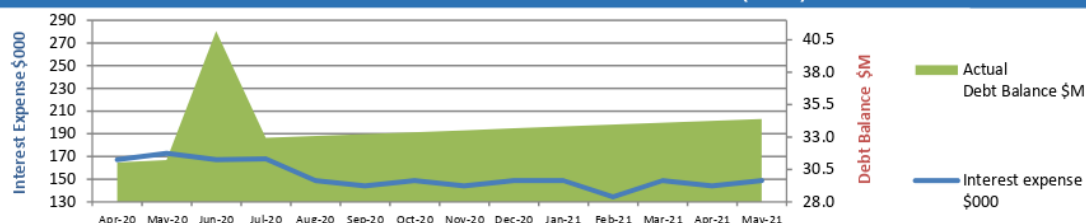
The movement in interest earned is indicative of both the interest rate and the surplus cash balances held, the latter of which is affected by business cash flow requirements on a monthly basis as well as the rating cycle.

Note: the Reserve Bank reduced the cash rate down to 0.10% during November 2020.

On a daily basis, cash surplus to requirements is deposited with QTC to earn higher interest as QTC is offering a higher rate than what is achieved from Council's transactional bank accounts. The current annual effective interest rate paid by QTC is 0.46%. Term deposit rates are being monitored to identify investment opportunities to ensure Council maximises its interest earnings.

Council adopted its Investment Policy (POL-3013) in June 2020 for the 2020/2021 financial year

## BORROWINGS AND BORROWING COSTS (QTC)



The existing loan accounts were converted to fixed rate loans on 1 April 2016 following a QTC restructure of loans and policies. In line with Council's debt policy, debt repayment of \$8.42M, being \$6.37M principal and \$2.05M interest has been made *annually* for 2020/2021 which will result in the loans being repaid approximately one year earlier.

The debt balance shows a decrease as the Annual Debt Service Payment (ADSP) was made during July 2020. Interest will accrue monthly on a daily balance until next ADSP in July 2021 which is reflected in the increasing debt balance.

In June 2020 additional borrowings of \$9.80M were undertaken as part of Council's Capital Works Plan.

Total Borrowings at End of Month were \$34.39M

Council adopted its Debt Policy (POL-1838) in June 2020 for the 2020/2021 financial year

## BORROWINGS

For the period ending 31 May 2021

	Annual Original Budget \$'000	Annual Revised Budget \$'000	YTD Revised Budget \$'000	YTD Actual Balance \$'000
<b>Borrowings</b>				
Opening balance	(41,273)	(41,178)	(41,178)	(41,178)
Accrued interest on borrowings	(1,789)	(1,789)	(1,640)	(1,627)
Interest paid on borrowings	2,052	2,052	2,052	2,048
Principal repaid	6,361	6,361	6,361	6,369
Loan drawdown	(9,612)	(9,612)	-	-
<b>Closing balance</b>	<b>(44,261)</b>	<b>(44,166)</b>	<b>(34,405)</b>	<b>(34,388)</b>

## Monthly Financial Report

## 9. CONSTRAINED CASH RESERVES

Reserves as at 31 May 2021	Purpose of reserve	Opening Balance	To Reserve	From Reserve	Closing Balance
		\$000	\$000	\$000	\$000
<b>Special Projects Reserve:</b>					
Aquatic Paradise Revetment Wall Reserve	To fund Aquatic Paradise revetment wall works program	2	27	(10)	19
Weinam Creek Reserve	Maintenance and improvements associated with Weinam Creek projects	-	463	(463)	-
Waste Levy Reserve	To fund Waste Levy Program	-	4,361	(4,020)	341
Raby Bay Revetment Wall Reserve	To fund Raby Bay revetment wall works program	2,093	2,847	(609)	4,331
Fleet Plant & Capital Equipment Reserve	To support the long term fleet replacement program	2,536	2,493	(1,497)	3,532
		<b>4,631</b>	<b>10,191</b>	<b>(6,599)</b>	<b>8,223</b>
<b>Constrained Works Reserve:</b>					
Public Parks Trunk Infrastructure Reserve	Capital projects for public parks trunk infrastructure	6,662	1,656	(1,995)	6,323
Land for Community Facilities Trunk Infrastructure Reserve	Land for community facilities trunk infrastructure	3,086	1,477	-	4,563
Water Supply Trunk Infrastructure Reserve	Upgrade, expansion or new projects for water supply trunk infrastructure	14,626	419	(297)	14,748
Sewerage Trunk Infrastructure Reserve	Upgrade, expansion or new projects for sewerage trunk infrastructure	10,909	1,711	(1,554)	11,066
Local Roads Trunk Infrastructure Reserve	Capital projects for local roads trunk infrastructure	33,731	4,251	(1,720)	36,262
Cycleways Trunk Infrastructure Reserve	Capital projects for cycleways trunk infrastructure	11,923	1,625	(295)	13,253
Stormwater Trunk Infrastructure Reserve	Capital projects for stormwater trunk infrastructure	10,842	493	(1,479)	9,856
Tree Planting Reserve	Acquisition and planting of trees on footpaths	103	76	(8)	171
Koala Tree off-set Planting Reserve	Acquisition and planting of trees for koala habitat	12	170	(7)	175
		<b>91,894</b>	<b>11,878</b>	<b>(7,355)</b>	<b>96,417</b>
<b>Separate Charge Reserve:</b>					
Environment Charge Maintenance Reserve	Ongoing conservation and maintenance operations	-	8,340	(6,909)	1,431
SES Separate Charge Reserve	On-going costs of maintaining the Redland SES	38	495	(387)	146
		<b>38</b>	<b>8,835</b>	<b>(7,296)</b>	<b>1,577</b>
<b>Special Charge Reserve - Canals:</b>					
Aquatic Paradise Canal Reserve*	Maintenance and repairs of Aquatic Paradise canals	758	-	-	758
Sovereign Waters Lake Reserve*	Maintenance and repairs of Sovereign Lake	431	-	-	431
1718 Raby Bay Canal Reserve	Service, facility or activity of works in respect of the canals of the Raby Bay canal estate	219	-	-	219
1718 Aquatic Paradise Canal Reserve	Service, facility or activity of works in respect of the canals of the Aquatic Paradise canal estate	(495)	-	-	(495)
1718 Sovereign Waters Lake Reserve	Service, facility or activity of works in respect of the lake	(56)	-	-	(56)
		<b>857</b>	<b>-</b>	<b>-</b>	<b>857</b>
<b>TOTALS</b>		<b>97,420</b>	<b>30,904</b>	<b>(21,250)</b>	<b>107,074</b>
		Closing cash and cash equivalents			<b>191,101</b>
		Reserves as percentage of cash balance			<b>56%</b>

\*No interest charged for these reserves May 2021 year to date due to low prevailing interest rate.



## 10. CITY WATER STATEMENTS

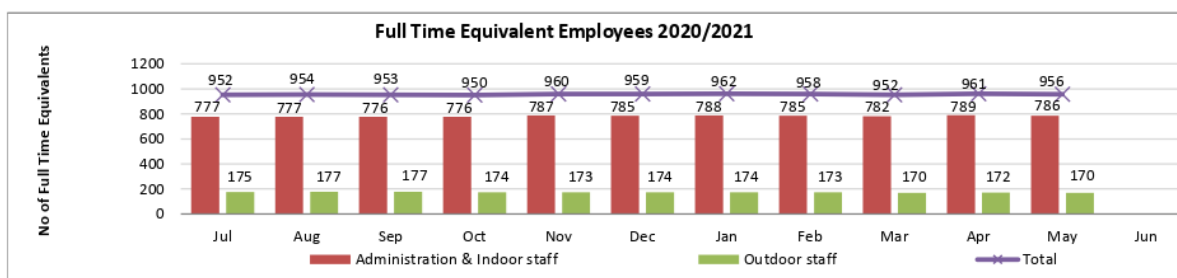
CITY WATER SUMMARY OPERATING STATEMENT					
For the period ending 31 May 2021					
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Total revenue	122,970	124,190	114,401	113,210	(1,191)
Total expenses	71,469	71,476	64,443	62,552	(1,891)
Earnings before interest, tax and depreciation (EBITD)	51,501	52,714	49,958	50,658	700
External interest expense	71	71	65	101	36
Internal interest expense	10,621	10,621	9,736	9,736	-
Depreciation	24,142	24,142	22,130	22,048	(82)
Operating surplus / (deficit)	16,667	17,880	18,027	18,773	746
CITY WATER CAPITAL FUNDING STATEMENT					
For the period ending 31 May 2021					
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Capital contributions, donations, grants and subsidies	2,537	2,537	2,326	1,833	(493)
Net transfer (to) / from constrained capital reserves	(2,365)	(374)	(243)	(418)	(175)
Non-cash contributions	3,399	3,399	1,537	1,855	318
Funding from utility revenue	8,568	10,373	5,984	2,717	(3,267)
Total sources of capital funding	12,138	15,936	9,604	5,987	(3,617)
Contributed assets	3,399	3,399	1,536	1,836	300
Capitalised expenditure	8,258	12,056	7,626	3,608	(4,018)
Loan redemption	482	482	442	543	101
Total application of capital funds	12,138	15,936	9,604	5,987	(3,617)

## 11. CITY WASTE STATEMENTS

CITY WASTE OPERATING STATEMENT					
For the period ending 31 May 2021					
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Total revenue	35,715	35,639	33,052	32,950	(102)
Total expenses	27,427	27,280	24,674	25,356	682
Earnings before interest, tax and depreciation (EBITD)	8,288	8,359	8,378	7,594	(784)
External interest expense	17	17	16	16	-
Depreciation	327	327	300	305	5
Operating surplus / (deficit)	7,943	8,014	8,062	7,273	(789)
CITY WASTE CAPITAL FUNDING STATEMENT					
For the period ending 31 May 2021					
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Non-cash contributions	-	-	-	-	-
Funding from utility revenue	924	2,729	2,428	1,692	(736)
Total sources of capital funding	924	2,729	2,428	1,692	(736)
Capitalised expenditure	779	2,584	2,286	1,569	(717)
Loan redemption	145	145	142	123	(19)
Total application of capital funds	924	2,729	2,428	1,692	(736)

## 12. APPENDIX: ADDITIONAL AND NON-FINANCIAL INFORMATION

## Workforce Reporting



May 2021: Headcount		Employee Type			
Department Level		Casual	Full Time	Part Time	Total
Office of CEO and People, Culture and Organisational Performance		5	41	10	56
Organisational Services		4	201	24	229
Community and Customer Services		47	286	68	401
Infrastructure and Operations		8	342	16	366
Total		64	670	118	1,052

Note: Full Time Equivalent Employees includes all full time employees at a value of 1 and all other employees, at a value less than 1. The table above demonstrates the headcount by department. Following Ourspace, the table includes contract of service and temporary personnel. It includes casual staff in their non-substantive roles as at the end of the period where relevant.

## Overdue Rates Debtors &amp; Statistics

Days Overdue	May-21	% Overdue	May-20	% Overdue	\$ Variance	% Variance	Rates & Charges Statistics	May-21	May-20
0 - 30	\$8,007,912	2.7%	\$608	0.0%	\$8,007,304	2.7%		Levied (Billed) Rates & Charges since 1 July 2020	\$282,747,735
31 - 60	\$0	0.0%	\$376	0.0%	-\$376	0.0%	Rate arrears b/fwd 1 July 2020	\$12,988,652	\$9,452,770
61 - 90	\$350	0.0%	\$15,865	0.0%	-\$15,515	0.0%	Total	\$295,736,387	\$282,653,459
91 - 180	\$2,185,146	0.7%	\$2,367,533	0.8%	-\$182,387	-0.1%	Balance of overdue rates & charges	\$15,583,199	\$7,092,944
>180	\$5,389,791	1.8%	\$4,708,562	1.7%	\$681,229	0.1%	Percentage Overdue	5.2%	2.5%
Total	\$15,583,199	5.2%	\$7,092,944	2.5%	\$8,490,255*	2.7%			

\* The \$8.49M variance is due to the extension of rates settlement as part of the COVID 19 economic stimulus package adopted by Council in FY 2019-2020.

## 13. GLOSSARY

## Key Terms

**Written Down Value:**

*This is the value of an asset after accounting for depreciation or amortisation, and it is also called book value or net book value.*

**Work In Progress:**

*This represents an unfinished project that costs are still being added to. When a project is completed, the costs will be either capitalised (allocated to relevant asset class) or written off.*

## Definition of Ratios

**Operating Surplus Ratio\*:**

*This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes*

Net Operating Surplus

Total Operating Revenue

**Asset Sustainability Ratio\*:**

*This ratio indicates whether Council is renewing or replacing existing non-financial assets at the same rate that its overall stock of assets is wearing out*

Capital Expenditure on Replacement of Infrastructure Assets (Renewals)

Depreciation Expenditure on Infrastructure Assets

**Net Financial Liabilities\*:**

*This is an indicator of the extent to which the net financial liabilities of Council can be serviced by operating revenues*

Total Liabilities - Current Assets

Total Operating Revenue

**Level of Dependence on General Rate Revenue:**

*This ratio measures Council's reliance on operating revenue from general rates (excludes utility revenues)*

General Rates - Pensioner Remissions

Total Operating Revenue - Gain on Sale of Developed Land

**Current Ratio:**

*This measures the extent to which Council has liquid assets available to meet short term financial obligations*

Current Assets

Current Liabilities

**Debt Servicing Ratio:**

*This indicates Council's ability to meet current debt instalments with recurrent revenue*

Interest Expense\*\*\* + Loan Redemption^

Total Operating Revenue - Gain on Sale of Developed Land

**Cash Balance - \$M:**

*Cash balance includes cash on hand, cash at bank and other short term investments.*

Cash Held at Period End

**Cash Capacity in Months:**

*This provides an indication as to the number of months cash held at period end would cover operating cash outflows*

Cash Held at Period End

[[Cash Operating Costs + Interest Expense] / Period in Year]

**Longer Term Financial Stability - Debt to Asset Ratio:**

*This is total debt as a percentage of total assets, i.e. to what extent will our long term debt be covered by total assets*

Current and Non-current Debt\*\*

Total Assets

**Operating Performance:**

*This ratio provides an indication of Council's cash flow capabilities*

Net Cash from Operations + Interest Revenue and Expense

Cash Operating Revenue + Interest Revenue

**Interest Coverage Ratio:**

*This ratio demonstrates the extent to which operating revenues are being used to meet the financing charges*

Net Interest Expense on Debt Service\*\*\*

Total Operating Revenue

\* These targets are set to be achieved on average over the longer term and therefore are not necessarily expected to be met on a monthly basis.

\*\* Debt includes lease liabilities.

\*\*\* Interest expense includes interest on leases.

^ Loan redemption includes lease redemption.

**13.2 REVENUE POLICY, INVESTMENT POLICY, APPLICATION OF DIVIDENDS AND TAX EQUIVALENT PAYMENTS POLICY, CONSTRAINED CASH RESERVES ADMINISTRATIVE DIRECTIVE, CONCEALED LEAKS POLICY AND FINANCIAL HARDSHIP POLICY.**

**Objective Reference:** A5445818

**Authorising Officer:** Deborah Corbett-Hall, Chief Financial Officer

**Responsible Officer:** Deborah Corbett-Hall, Chief Financial Officer

**Report Author:** Katharine Bremner, Budget and Systems Manager  
Noela Barton, Service Manager Financial Operations

**Attachments:**

1. FIN-017-P Revenue Policy [↓](#)
2. FIN-001-P Investment Policy [↓](#)
3. FIN-005-P Application of Dividends and Tax Equivalent Payments Policy [↓](#)
4. FIN-007-A Constrained Cash Reserves Administrative Directive [↓](#)
5. FIN-018-P Concealed Leaks Policy [↓](#)
6. FIN-004-P Financial Hardship Policy [↓](#)

**PURPOSE**

To request Council:

- Adopts the following for 2021-2022: Revenue Policy, Investment Policy, Application of Dividends and Tax Equivalent Payments Policy.
- Notes the Constrained Cash Reserves Administrative Directive for 2021-2022.
- Adopts the Concealed Leaks Policy and the Financial Hardship Policy.

**BACKGROUND**

Council reviewed the 2021-2022 policies and administrative directive on 20 April 2021 as part of a budget development workshop for the 2021-2022 annual budget. Additionally, Council reviewed the Concealed Leaks Policy and Financial Hardship Policy during its budget deliberations.

**ISSUES**

2021-2022 Policies and Administrative Directive

Council discussed attachments one to four as part of its 2021-2022 annual budget development process. The policy intent remains unchanged for all four documents.

Concealed Leaks Policy

Not-for-profit entities that use less than 100 kilolitres of water per annum are eligible for a concealed leak remission under the current policy. In effect this means that a not-for-profit entity may be eligible in one given 12 month period, but not the next dependent on the amount of water consumed. The eligibility has been extended to all not-for-profit entities that use greater than 100 kilolitres of water per annum. The policy has been amended accordingly.

Secondly, in a small number of instances an owner will receive a concealed leak remission and within the three year timeframe for eligibility to the policy, a second concealed leak will occur where the water loss is far greater than the calculated loss for the first leak. The revised policy includes the ability to provide a once only opportunity during the period of ownership to replace a previous leak remission where a second major leak occurs within three years of the repair date of the first leak. This opportunity will not affect the commencement date of the three year period for eligibility to the policy, which commences from the date the first leak was repaired.

Finally minor wording changes have also been made to information provided in the policy to assist customers to manage concealed leaks by encouraging the turning off of appliances connected to the water supply when the home is unoccupied for a period and to fit with our current advice to do a meter reading test over an hour or two rather than overnight.

#### Financial Hardship Policy

The policy intent remains unchanged with minor wording changes to make it easier to read and implement.

### **STRATEGIC IMPLICATIONS**

The Revenue Policy is reviewed annually in sufficient time to allow for the adoption of the annual budget, which is consistent with the policy.

Council's Investment Policy outlines Council's investment objectives and overall risk philosophy and Council's procedures for achieving the investment goals stated in the policy. Surplus funds can either be invested or utilised to accelerate debt reduction (with possible early repayment penalties) or a combination of the two approaches.

Council receives dividends and tax equivalent payments from its commercial business activities (namely City Water and City Waste). All financial returns to Council will be applied to the provision of a community benefit.

Council continues to document its position on constrained cash reserves to demonstrate accountability and transparency to the community on cash balances that are constrained for particular purposes.

Concealed leaks and financial hardship are two areas that Council is committed to supporting the property owners and ratepayers of Redland City.

### **Legislative Requirements**

Section 193 of the *Local Government Regulation 2012* requires the revenue policy to be reviewed annually and in sufficient time to allow an annual budget to be adopted for the next financial year. In accordance with section 193(1)(a) of the *Local Government Regulation 2012* (Regulation), the Revenue Policy outlines the principles Council intends to apply in a financial year for:

- levying of rates and charges
- granting concessions for rates and charges
- recovering overdue rates and charges
- cost-recovery methods

Further, pursuant to sections 193(1)(b) and (c) of the Regulation, the Revenue Policy also covers the purpose why concessions are granted and the extent to which physical and social infrastructure costs for new development are funded by charges for the development.

Section 104(5) of the *Local Government Act 2009* and section 191 of the *Local Government Regulation 2012* require a Local Government to have and adopt an investment policy and a revenue policy as part of its financial management system. These policies must be regularly reviewed and updated as necessary and Council reviews and updates its key financial policies at least annually. Under Section 191 of the *Local Government Regulation 2012*, an investment policy is required to outline a local government's investment objectives and its overall risk philosophy and procedures for achieving the goals related to investment stated in the policy.

The *South East Queensland Customer Water and Wastewater Code* requires distributor-retailers and withdrawn councils to have a concealed leaks policy and a financial hardship policy.

### **Risk Management**

Council's Long Term Financial Strategy contains risks, issues and mitigation strategies aligned to the investment of surplus funds, revenues and pricing, expenditures and cash balances influencing the reserve balances and associated movements in reserves.

Additionally, the Financial Services Group regularly reviews its risk register to ensure policies and practices are current and responsive to corporate revenue risks and no material risks are currently identified with respect to managing Council's investments.

Council reports full details of its reserve balances and movements on a monthly basis to monitor reserve usage and also provide the community with transparency.

Council receives revenue streams from its commercial business activities in accordance with the Local Government Tax Equivalents Regime and may also receive dividends and other returns from investments in associates, subordinates or other entities.

### **Financial**

There are no direct financial impacts to Council resulting from this report although it contains revised policy positions that property owners may draw on in the future as outlined above.

The financial implications and intent contained within the attached Revenue Policy, Concealed Leaks Policy and Financial Hardship Policy have been workshopped with Councillors and the Executive Leadership Team.

The 2021-2022 Investment Policy continues to include options for investing in commercial opportunities, joint ventures, associates and subsidiaries in the future. Prior to investment, a comprehensive analysis will be undertaken to ensure the benefits of the investment outweigh the risks and costs. The analysis will ensure any proposal for investment outside a financial institution/fund manager will maintain or improve all relevant financial ratios and measures of sustainability within the adopted Financial Strategy targets. Any investment outside of a financial institution/fund manager must also be consistent with the principles and objectives contained in Council's Revenue and Dividend Policies.

Reserve movements are transfers in community equity and only constrain cash for particular works that feature in annual or long-term operational or capital programs.

**People**

Nil impact expected.

**Environmental**

Nil impact expected.

**Social**

Nil impact expected.

**Human Rights**

Nil impact expected.

**Alignment with Council's Policy and Plans**

This report and the attached documents align with Council's new Corporate Plan that comes into effect 1 July 2021: *Our Future Redlands – A Corporate Plan to 2026 and Beyond*. In particular, the attachments underpin objective 7.4 Demonstrate good governance through transparent, accountable processes and sustainable practises and asset management.

**CONSULTATION**

Consulted	Consultation Date	Comments/Actions
Financial Services Group officers	April 2021	Review of current financial policies and administrative directive documents
Finance officers, Councillors and Executive Leadership Team	20 April 2021	2021-2022 Budget Workshop – opportunity to review and amend the policies and administrative directive
General Counsel Group	May 2021	Report and attachments reviewed for compliance with legislation

**OPTIONS****Option One**

That Council resolves as follows:

1. To adopt the policies in Attachment 1, 2 and 3 of the report for 2021-2022:
  - a) FIN-017-P Revenue Policy
  - b) FIN-001-P Investment Policy
  - c) FIN-005-P Application of Dividends and Tax Equivalent Payments Policy
2. To note FIN-007-A in Attachment 4 Constrained Cash Reserves Administrative Directive.
3. To adopt:
  - a) FIN-018-P Concealed Leaks Policy
  - b) FIN-004-P Financial Hardship Policy

**Option Two**

That Council resolves to request additional information or amendments to the attached prior to adoption.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/147**

Moved by: Cr Peter Mitchell

Seconded by: Cr Tracey Huges

That Council resolves as follows:

1. To adopt the policies in Attachment 1, 2 and 3 of the report for 2021-2022:
  - a) FIN-017-P Revenue Policy
  - b) FIN-001-P Investment Policy
  - c) FIN-005-P Application of Dividends and Tax Equivalent Payments Policy
2. To note FIN-007-A in Attachment 3 Constrained Cash Reserves Administrative Directive.
3. To adopt:
  - a) FIN-018-P Concealed Leaks Policy
  - b) FIN-004-P Financial Hardship Policy

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.





## Revenue Policy

Policy Identifier: FIN-017-P  
 Approved by: General Meeting  
 Date of Approval:  
 Effective Date:  
 Review Date:  
 Version: 20

### Head of Power

According to section 104(5)(c)(iii) of the *Local Government Act 2009* (Act), the system of financial management established by Council must include a revenue policy.

Section 169(2)(c) of the *Local Government Regulation 2012* (Regulation) requires a local government to include in its financial budget a revenue policy. Section 170 of the Regulation requires a local government to adopt a budget each financial year.

Section 193(3) of the Regulation requires a local government to review its revenue policy annually in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year.

### Policy Objective

In accordance with section 193 of the Regulation, this Revenue Policy states:

- The principles that Council intends to apply in the 2021-22 financial year for:
  - Levying of rates and charges
  - Granting concessions for rates and charges
  - Recovering overdue rates and charges
  - Cost-recovery methods
- The purpose for concessions that Council intends to grant for rates and charges.
- The extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development.

This Revenue Policy also states principles that Council intends to apply in a financial year for:

- Community service obligations
- Applying user pays models
- Raising revenue from commercial activities
- Raising revenue from other external sources

This policy applies to all of Redland City Council business areas. Redland Investment Corporation (RIC), being a wholly owned separate legal entity, and any of its subsidiaries may utilise the provisions of the policy but are not bound to the Redland City Council policy statements as outlined in this document.

### Policy Statement

The Revenue Policy is aligned to the objectives of Council's Corporate Plan and Council's commitment to applying the following principles in the 2021-22 financial year:

For Corporate Governance Use Only			
Department:	Organisational Services	Group:	Financial Services
			Page 1 of 6



## Revenue Policy

### Principles for levying of rates and charges:

- **Accountability** – Council will be accountable to the providers of funds to ensure those funds are applied efficiently and effectively to satisfy the objective for which the funds were raised.
- **Transparency** – Council will be transparent in its revenue raising activities and will endeavour to use systems and practices able to be understood by the community.
- **Representation** – Council will act in the interests of the whole community in making decisions about rates and charges.
- **Sustainable financial management** – Council will ensure it manages revenue diligently and that the application of funds is founded on sustainable strategic objectives that result in the timely and optimal investment in identified priorities.
- **Fairness** – While the rating legislation requires Council to use property valuations as the basis for raising rate revenue, Council will monitor the impact of valuation changes and moderate increases where possible.
- **Differentiation of categories** – Council will apply different rates to various categories of property that will reflect the particular circumstances of the categories and Council's policy objectives related to those categories.
- **Special needs and user pays** – Council will draw from various revenue sources to fund special needs including (but not necessarily limited to):
  - Separate rates or charges for whole of community programs
  - Special rates or charges for recovery of costs from beneficiaries
  - Utility charges for specific service based generally on usage
  - Statutory fees and charges in accordance with legislation, regulation or local laws
  - Commercial fees and charges where users can clearly be identified
  - Where practicable recovering credit card fees through a surcharge on credit card transactions
- **Social conscience** – Council will apply a range of concessions (e.g. for pensioners and institutions) and will accommodate special circumstances where hardship can be demonstrated.

In levying rates and charges, Council will schedule the issue of rate notices quarterly in the months of July, October, January and April.

### **Differential General Rates**

General Rate revenue provides essential whole of community services not funded through subsidies, grants, contributions or donations received from other entities, or not provided for by other levies or charges.

Council will consider full cost recovery options before calculating the differential general rate.

Rating legislation requires the general rate to be calculated on the value of the land. However, Council recognises that various sections of the community impact on the delivery of, and use services, activities, and facilities differently.

Separate multipliers, established on the rate in the dollar applied to rating category 1a, will be assigned to all rating categories to maintain consistency in the distribution of revenue across financial years.

When determining differential rating categories, the ongoing changes to community characteristics will be considered along with revaluations, which can have a significant impact on properties.

### **Separate and Special Charges**

Where it is appropriate, Council will use separate and special charges to recover the cost of the delivery of services, activities, and facilities that benefit the whole community generally, or which benefits specific rateable land or owners of such land within the community, respectively.

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# Revenue Policy

## Utility Charges

In setting utility charges, Council will take into consideration factors such as:

- Legislative requirements, including National Competition policy
- Council policy objectives
- Recovery of sufficient revenue to cover costs and a return on assets
- Other sources of revenue where appropriate

## Granting concessions for rates and charges

Chapter 4, Part 10 of the Regulation provides Council with the powers to grant concessions to individuals and classes of land owners.

In granting concessions for rates or charges, Council will comply with the criteria in section 120 of the Regulation and will be guided by sustainable financial management practices and the principles of:

- **Transparency** - Council will be transparent and endeavour to use systems and practices able to be understood by the community.
- **Representation** - Council will act in the interests of the whole community in making decisions about concessions for classes of ratepayers.
- **Fairness** - Council will consider all reasonable concessional requests in a consistent non-biased manner.
- **Social conscience** - Council will apply a range of concessions (e.g. for pensioners and institutions) and will accommodate special circumstances where hardship can be demonstrated.

## Recovering overdue rates and charges

In accordance with section 120(1)(c), 121(b) and 122(1)(b) of the Regulation, Council may consider granting a concession for rates and charges to ratepayers experiencing demonstrated financial hardship upon receipt of an application for assessment by Council.

Interest will be charged on rates and charges outstanding past the due date unless a mutually agreed arrangement is in place and is honoured. If an arrangement defaults, it will be cancelled and interest charged.

Cost effective processes will be applied in the recovery of overdue rates and charges.

## Cost-recovery methods

Section 97 of the Act allows Council to set cost-recovery fees.

Council recognises the validity of fully imposing the user pays principle for its cost-recovery fees, unless the imposition of the fee is contrary to its express social, economic, environmental and other corporate goals (such as, for example, the community service obligations outlined below). This is considered to be the most equitable and effective revenue approach, and is founded on the basis that the City's revenue base cannot subsidise the specific users or clients of Council's regulatory products and services.

However, in setting its cost-recovery fees, Council will be mindful of the requirement that such a fee must not be more than the cost to Council of providing the service or taking the action to which the fee applies.

## Community Service Obligations

In accordance with Corporate Policy FIN-008-P Community Service Obligations, Council may subsidise the operations of commercialised business units or activities in order to achieve social, economic, environmental or other objectives associated with, or incidental to, the delivery of services by those business units or activities.

Council may charge for such activities at a rate less than the full cost price of a service. The difference between the full cost price and the actual charge will be treated as a Community Service Obligation (CSO). CSOs must be transparent, fully costed, and funded. Each CSO will be funded from an identified budget.

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## Revenue Policy

Council will continue to support existing community service obligations for Water, Wastewater and Trade Waste.

The CSOs will be reviewed regularly to ensure they continue to form part of Council's strategic objectives.

In addition Council will provide Water Charge Remissions for eligible concealed leaks and home dialysis machine users.

### Applying user pays models

Council supports the principle that there is an increased focus on user pays models and that these will be developed where they are considered appropriate and in accordance with policy, including where practicable, Council will recover credit card fees through a surcharge on credit card transactions.

Council has adopted the policy of a conservative approach to increases in fees and charges with a view to minimising excessive impacts on user pays groups. There is also a need to consider Community Service Obligations when considering this principle.

### Raising revenue from commercial activities

In order to minimise price increases on residents through the General Rate, Council is committed to exploring additional or alternative revenue streams through the establishment of business activities under the National Competition Policy framework where this is appropriate and in accordance with policy.

In doing this the following principles will be considered:

- Council will comply with the Act's and Regulation's requirements in relation to the application of the competitive neutrality principle to significant business activities, and the code of competitive conduct where applicable.
- The adoption of a business activity recognises the activity is conducted, or has the potential to be conducted, in competition with the private sector giving greater transparency to the community over the activity and clarity of the revenue stream.
- The determination of the standard and quality of each business activity required is based upon community/customer expectations and achieving best value for money, irrespective of whether the service is delivered by an internal or external provider.
- By concentrating upon outcomes rather than processes, service specification is likely to encourage innovation and new solutions to meeting the needs and expectations of the community and customers.

### Raising revenue from other external sources

Where possible, Council will seek to supplement revenue through application for external grants and subsidies. Every opportunity will be taken to maximise revenue in support of capital and operational spending. External funding, however, must be strategically targeted and in alignment with community and corporate objectives.

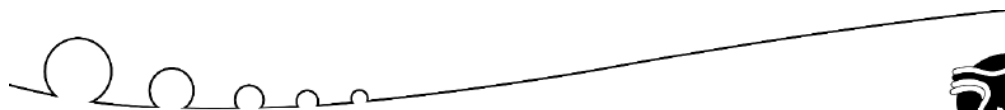
### Purpose of concessions for rates and charges

Council has determined that pensioner owner occupiers as defined by the *Local Government Regulation 2012* are entitled to receive concessions on rates and various other services that Council provides to the community. Other charitable organisations, community groups, sporting associations and independent schools may also be entitled to concessions (or exemptions under section 93(3)(i) of the Act and section 120 of the Regulation).

The purpose of these concessions is to:

- ease the cost of living for approved pensioners living in their own homes who have limited financial capacity
- acknowledge the role that qualifying charitable and community organisations, associations, independent schools and groups perform in the community through concessions on rates and charges

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## Revenue Policy

Pursuant to sections 120(1)(d) and (f) of the Regulation, Council may provide a concession to ratepayers whose land is being exclusively used for the purpose of farming (primary production) to assist and encourage endurance in that particular industry. The purpose of this concession is to acknowledge the economic benefit that such an industry provides for the City as a whole.

### Infrastructure cost recovery

Council will levy adopted infrastructure charges for trunk infrastructure with approvals for new development. The amounts of those adopted infrastructure charges are determined by Council resolution made under the *Planning Act 2016*.

## Definitions

Nil

## Associated Documents

- 2021-22 Redland City Council Budget Publication
- 2021-22 Redland City Council Register of Fees
- 2021-22 Redland City Council Revenue Statement
- WST-001-P Trade Waste Policy ([A196559](#))
- FIN-018-P Concealed Leak Policy ([A196576](#))
- FIN-012-001-G Water Charge Rebate for Home Dialysis Machine Users Guideline ([A4213486](#))

## Document Control

Only Council can approve amendments to this document by resolution of a Council Meeting, with the exception of administrative amendments which can be approved by the relevant ELT member. Refer to *Policy Instrument Development Manual* for an explanation on administrative amendments ([A4063988](#)).

Any requests to change the content of this document must be forwarded to relevant Service Manager(s).

Approved documents must be submitted to the Corporate Meetings and Registers Team for registration.

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# Revenue Policy

## Version Control

Version number	Date	Key Changes
16	May 2017	<p>Following legal review, as recommended:</p> <ul style="list-style-type: none"> <li>Amended overall structure of document by introducing new headings and sub-headings.</li> <li>Amended policy objective to comply with section 193 of the <i>Local Government Regulation 2012</i>.</li> <li>Added Head of Power reference to section 104(5)(c)(iii) of <i>Local Government Act 2009</i>.</li> <li>Minor changes to Separate and Special charges paragraph</li> <li>Added purpose of providing concessions to section (b) Granting concessions for rates and charges.</li> <li>Replaced paragraph for Infrastructure cost recovery with wording supplied by legal review.</li> </ul>
17	May 2018	<ul style="list-style-type: none"> <li>Moved principles to sub-section Levying Rates and Charges</li> <li>Replace paragraph on 'monitoring of distribution' with a paragraph on the effect of the multiplier</li> <li>Introduce principles for granting concessions taken from the principles for Levying Rates and Charges</li> <li>Amend sentence on business activities for understanding</li> <li>Introduce a purpose for concessions</li> <li>Updated for 2018-19 Budget process</li> </ul>
18	February 2019	<ul style="list-style-type: none"> <li>Updated for 2019-20 Budget process</li> <li>Removal of reference to the <i>Sustainable Planning Act 2009</i></li> <li>Inclusion of reference to the <i>Planning Act 2016</i></li> <li>Added a section sub-headed 'Policy Scope'</li> <li>Inclusion of Document Control Section</li> </ul>
19	May 2020	<ul style="list-style-type: none"> <li>Reformatted in line with Policy Framework Review</li> <li>Updated for the 2020-21 Budget process</li> </ul>
20	May 2021	<ul style="list-style-type: none"> <li>Updated for the 2021-22 Budget process</li> <li>Amendment from 'will' to 'may' in section sub-section 'Purpose of concessions for rates and charges'</li> </ul>

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# Investment Policy

Policy Identifier: FIN-001-P  
Approved by: General Meeting  
Date of Approval:  
Effective Date:  
Review Date:  
Version: 13

## Head of Power

### ***Local Government Act 2009 (Act)***

Section 104 requires a local government to establish a system of financial management that includes various financial policies, including an investment policy.

The Act also defines Council as a statutory body and subsequently Council must also consider the *Statutory Bodies Financial Arrangements Act 1982*.

### ***Local Government Regulation 2012***

Section 191 requires a local government to prepare and adopt an investment policy for a financial year.

This policy applies to Council's investment in wholly owned subsidiaries.

## Policy Objective

To maximise earnings from authorised financial investments of surplus funds after assessing and minimising all associated risks in accordance with the annually revised and adopted Long-Term Financial Strategy (Financial Strategy). Further, to comply with section 191 of the *Local Government Regulation 2012*, this policy outlines Council's investment objectives, overall risk philosophy and procedures for achieving the goals related to investment stated in this policy.

This policy applies to all of Redland City Council business areas. Redland Investment Corporation (RIC), being a wholly owned separate legal entity, and any of its subsidiaries may utilise the provisions of this policy but are not bound to the Redland City Council policy statements as outlined in this document.

## Policy Statement

The Investment Policy is aligned to the objectives of Council's Corporate Plan and is achieved through the following procedures:

- Investing only in investments as authorised under current legislation.
- Investing only with approved institutions.
- Investing to facilitate diversification and minimise portfolio risk.
- Investing to protect the capital value of investments (balancing risk with return opportunities).
- Investing to facilitate working capital requirements.
- Reporting on the performance of its investments on a monthly basis as part of the monthly financial reports to Council.
- Conducting an annual review of all investments and associated returns as part of the annual review of the Long-Term Financial Strategy.



## Investment Policy

- Ensuring no more than 30% of Council's investments are held with one financial institution, or one fund manager for investments outside of the Queensland Treasury Corporation or the Queensland Investment Corporation cash funds or Bond Mutual Funds.

Council will follow an active investment management strategy over the next ten financial years in order to maximise the returns generated from investing cash balances.

Council may also consider investing in commercial opportunities, joint ventures, associates and subsidiaries. Prior to investment, a comprehensive analysis will be undertaken to ensure the benefits of the investment outweigh the risks and costs. The analysis will ensure any proposal for investment outside a financial institution/fund manager will maintain or improve all relevant financial ratios and measures of sustainability within adopted Financial Strategy targets. Any investment outside of a financial institution/fund manager must also be consistent with the principles and objectives contained in Council's Revenue and Dividend Policies.

## Definitions

Nil

## Associated Documents

Long Term Financial Strategy

## Document Control

Only Council can approve amendments to this document by resolution of a Council Meeting, with the exception of administrative amendments which can be approved by the relevant ELT member. Refer to *Policy Instrument Development Manual* for an explanation on administrative amendments ([A4063988](#)).

Any requests to change the content of this document must be forwarded to relevant Service Manager(s).

Approved documents must be submitted to the Corporate Meetings and Registers Team for registration.

## Version Control

Version number	Date	Key Changes
9	April 2017	<ul style="list-style-type: none"> <li>Updated for Budget 2017-2018 process (only approval, effective and review dates changed)</li> <li>Updated Head of Power to add sentence regarding application to subsidiaries.</li> <li>Changed 'UBS Bank Bill Index' to 'Bloomberg AusBond Bank Bill index'</li> </ul>
10	March 2018	<ul style="list-style-type: none"> <li>Updated for Budget 2018-2019 process (only approval, effective and review dates changed)</li> <li>Inclusion of Policy Scope to clarify RIC is a separate legal entity</li> <li>Update for consistency with other financial policies and referencing the Regulation</li> </ul>
11	March 2019	<ul style="list-style-type: none"> <li>Updated for 2019-20 Budget process</li> <li>Minor amendments to Policy Statement 3 - removal of reference to the Bloomberg AusBond BankBill Index following discussion during the budget workshops that one benchmark or index is too specific to warrant inclusion in a policy. No change to policy intent.</li> <li>Inclusion of Document Control section.</li> </ul>
12	May 2020	<ul style="list-style-type: none"> <li>Updates in line with policy framework review</li> <li>Updated for 2020-21 Budget process</li> </ul>
13	April 2021	<ul style="list-style-type: none"> <li>Updated for 2021-22 Budget process</li> </ul>





# Application of Dividends and Tax Equivalent Payments Policy

Policy Identifier: FIN-005-P  
 Approved by: General Meeting  
 Date of Approval:  
 Effective Date:  
 Review Date:  
 Version: 8

## Head of Power

The establishment of this policy is consistent with the *Local Government Act 2009*, *Local Government Regulation 2012* and also the Local Government Tax Equivalent Regime (LGTER).

## Policy Objective

The objective is to clarify Council's intention for its use of financial returns received from commercialised or corporatised business activities and any subsidiaries or associates.

This policy applies to all of Redland City Council business areas. Redland Investment Corporation (RIC), being a wholly owned separate legal entity, and any of its subsidiaries may utilise the provisions of this policy but are not bound to the Redland City Council policy statements as outlined in this document.

## Policy Statement

The Application of Dividends and Tax Equivalent Payments Policy is aligned to the objectives of Council's Corporate Plan and is achieved through Council:

- Receiving dividends and tax equivalent payments from its commercialised business activities.
- Receiving dividends from its wholly owned subsidiary RIC.
- Looking to receive dividends and tax equivalent payments from any corporatised business activities, subsidiaries or associates in the future.

Additionally, Council is committed to:

- Transparently accounting, reconciling and reporting the receipt of such financial returns in accordance with the Australian Accounting Standards, the LGTER and, where applicable, the *Local Government Regulation 2012* (including, in particular, section 25 and schedule 4, section 8).
- Applying all financial returns to the provision of community benefit.

## Definitions

Nil

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# Application of Dividends and Tax Equivalent Payments Policy

## Associated Documents

Long-Term Financial Strategy

Annual Budget

Annual Report

Dividend Policy – Significant and Prescribed Business Activities ([A196653](#))

## Document Control

Only Council can approve amendments to this document by resolution of a Council Meeting, with the exception of administrative amendments which can be approved by the relevant ELT member. Refer to *Policy Instrument Development Manual* for an explanation on administrative amendments ([A4063988](#)).

Any requests to change the content of this document must be forwarded to relevant Service Manager(s).

Approved documents must be submitted to the Corporate Meetings and Registers Team for registration.

## Version Control

Version number	Date	Key Changes
4	April 2017	<ul style="list-style-type: none"> <li>Updated for Budget 2017-2018 process (only approval, effective and review dates changed)</li> <li>Document control section deleted</li> </ul>
5	March 2018	<ul style="list-style-type: none"> <li>Updated for Budget 2018-2019 process (only approval, effective and review dates changed)</li> <li>Inclusion of Policy Scope to clarify RIC is a separate legal entity</li> <li>Added in reference to RIC dividend received</li> <li>Added in reference to regulation in policy statement</li> </ul>
6	March 2019	<ul style="list-style-type: none"> <li>Updated for 2019-20 Budget process</li> <li>Inclusion of Document Control section</li> </ul>
7	May 2020	<ul style="list-style-type: none"> <li>Formatting changes per recommendations arising from Policy Review Project.</li> <li>Updated for 2020-21 Budget process</li> </ul>
8	April 2021	<ul style="list-style-type: none"> <li>Updated for 2021-22 Budget process</li> </ul>

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# Constrained Cash Reserves Administrative Directive

Admin Directive Identifier: FIN-007-A  
Approved by: General Meeting  
Date of Approval:  
Effective Date:  
Review Date:  
Version: 2

## Head of Power

### *Local Government Act 2009*

Section 104 requires a local government to establish a system of financial management to ensure financial sustainability. Under section 104(2), a local government is financially sustainable if the local government is able to maintain its financial capital and infrastructure capital over the long-term.

## Objective

To ensure Council's constrained cash reserves:

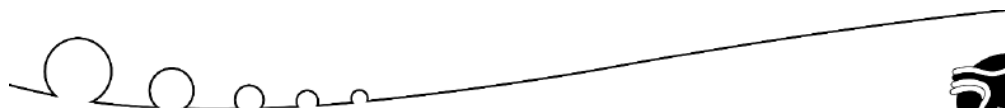
- Are only restricting funds received or levied for a specific purpose and/or have identified obligations tied to them.
- Are only used for identified planned expenditure.
- Do not exceed cash balances at the end of the financial year, to align with the disclosure requirements of the Department of State Development, Infrastructure, Local Government and Planning and the Queensland Audit Office.

This policy applies to all of Redland City Council business areas. Redland Investment Corporation (RIC), being a wholly owned separate legal entity, and any of its subsidiaries may utilise the provisions of this policy but are not bound to the Redland City Council policy statements as outlined in this document.

## Statement

Council's Constrained Cash Reserves Administrative Directive is aligned to the objectives of the Corporate Plan through its philosophy to ensure funds held in constrained cash reserves are restricted to deliverables consistent with the:

- *Planning Act 2016* (sections 120 and 143) which requires that a levied charge may be only for extra demand placed on trunk infrastructure that development will generate, and may only be used to provide trunk infrastructure.
- Long-Term Financial Strategy
- Long-Term Asset and Service Management Plan
- Corporate Plan
- Annual Operational Plan and Budget



# Constrained Cash Reserves Administrative Directive

Council is committed to achieving this goal by:

- Reporting on constrained cash reserves on a monthly basis as part of the monthly financial reports to General Meeting.
- Reporting constrained cash reserves as a subset of cash balances in annual statutory reporting.
- Ensuring constrained cash reserves do not exceed cash balances at the end of the financial year.
- Conducting regular reviews of all constrained cash reserves for relevance and future requirements in accordance with the Long-Term Financial Strategy and other appropriate strategies and plans.
- Ensuring that infrastructure charges are constrained for the purposes of new trunk infrastructure and not renewal work.
- Reviewing forecast reserve movements as an integral part of the annual budget development process.
- Transferring funds from constrained cash reserves back to retained earnings when the purpose of the reserve is no longer valid or required or when the funds have been expended on planned works.

## Definitions

Nil

## Associated Documents

FIN-007-001-G Constrained Cash Reserves Guideline ([A3169951](#))

## Document Control

Only the CEO can approve major amendments to this document and the relevant ELT member can approve minor amendments. Refer to the *Policy Instrument Development Manual* for an explanation on major and minor amendments ([A4063988](#)).

Any requests to change the content of this document must be forwarded to relevant Service Manager(s).

Approved documents must be submitted to the Corporate Meetings and Registers Team for registration.



# Constrained Cash Reserves Administrative Directive

## Version Information

Version number	Date	Key Changes
4	April 2017	<ul style="list-style-type: none"> <li>Updated for Budget 2017-2018 process</li> </ul>
5	March 2018	<ul style="list-style-type: none"> <li>Updated for the Budget 2018-19 process</li> <li>Addition of comments regarding trunk infrastructure and application to new infrastructure only</li> <li>Inclusion of Policy Scope to clarify RIC is a separate legal entity</li> <li>Updated State Government Department name from Department of Infrastructure, Local Government and Planning to Department of Local Government, Racing and Multicultural Affairs</li> <li>Head of Power updated to reference Local Government Act 2009</li> <li>Policy Statement amended to clarify Local Planning Act 2016 references</li> </ul>
6	March 2019	<ul style="list-style-type: none"> <li>Updated for the 2019-20 Budget process</li> <li>Inclusion reference to related documents</li> <li>Inclusion of Document Control section</li> </ul>
7	May 2020	<ul style="list-style-type: none"> <li>Updated per recommendations arising from the Review of Finance Policies project.</li> <li>Updated for 2020-21 Budget process</li> </ul>
1	June 2020	<ul style="list-style-type: none"> <li>Re-classified from Policy to Administrative Directive</li> </ul>
2	April 2021	<ul style="list-style-type: none"> <li>Updated for 2021-22 Budget process</li> <li>Updated State Government Department name from Department of Local Government, Racing and Multicultural Affairs to Department of State Development, Infrastructure, Local Government and Planning</li> </ul>



## Concealed Leaks Policy

Policy Identifier: FIN-018-P  
 Approved by: General Meeting  
 Date of Approval:  
 Effective Date:  
 Review Date:  
 Version: 7

### Head of Power

Section 19 of the *South East Queensland Customer Water and Wastewater Code* (the Code) requires a water service provider to have a concealed leaks policy for small customers.

### Policy Objective

To provide a remission to small customers and not-for-profit entities on the Distribution and Retail water consumption charge where there is a concealed leak that has secreted from the internal water infrastructure located on a metered property.

### Policy Statement

Council is responsible for the water infrastructure up to the connection point of a customer's property, which includes the water meter and the pipes that connect the water meter to the main water supply.

Property owners are responsible for the installation, repair, maintenance and replacement of all the pipes, fixtures and fittings, including any mains connected water tanks on their property up to the water meter. If a leak is detected it is the property owner's responsibility to fix it as soon as possible to prevent further water loss.

Property owners are encouraged to:

- Develop a habit of regularly reading the water meter, to familiarise themselves with their own water consumption habits, which may help alert them to unexplained increases in water consumption.
- Turn off the stop valve that controls the flow of water and appliances that are connected to the water supply when they go away on holidays and the house is not occupied.
- Check for suspected concealed water leaks by doing a reading test on the water meter. Turn off all water appliances and then read the water meter. Wait an hour or two before re-reading the water meter. If the reading has increased but no water was used in that period contact a licensed plumber to inspect for a concealed leak.
- Where a leak is detected it is repaired as soon as practical, preferably within five (5) business days.

Council is committed to:

1. Providing a remission on the Distribution and Retail water consumption charge for a concealed water leak where eligibility requirements are met. Council will not provide a remission on the State Bulk water consumption charge.
2. The following eligibility requirements:
  - (a) Application must be made by the owner of the property where the leak occurred, or their authorised nominee, within five (5) months of the leak repair date to qualify for the remission.

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## Concealed Leaks Policy

- (b) During their ownership, the owner of the property has not received a water consumption remission on that property within the last three (3) years due to a concealed water leak.
3. Apply a minimum cap on the remission provided. Where the remission is calculated and is less than thirty five (35) dollars no remission will be applied, excluding eligible pensioners where the minimum cap will be twenty five (25) dollars.
4. Assessing applications correctly received on the nominated form (Concealed Water Leak application form) where the following information has been provided:
  - (a) An invoice or signed report from a licensed plumber with confirmation the leak was concealed and has been repaired within required plumbing standards.
  - (b) Two (2) water meter readings two (2) weeks apart that show water consumption for the property has returned to normal, with the first reading to be taken as soon as practical after the leak has been repaired. This may be used for calculation purposes.
  - (c) Photographic evidence, if available, in support of applications. Although photos are not mandatory they are desirable and will be used in conjunction with written evidence to support the application process in determining eligibility. Photos of the leak prior and post repair will be accepted and can form part of an application.
5. To calculate the remission the following information may be used:
  - (a) The date the leak was repaired.
  - (b) Average daily water use and cost calculated on the first given four (4) quarter period that is not leak effected excluding new owners where the average daily water use is based on readings taken after the leak is repaired.
  - (c) In lieu of a recent quarterly billing reading the first reading taken after the leak is repaired.
  - (d) The adopted Distribution and Retail water consumption charge.
6. Calculate the remission based on two (2) reading periods (generally  $\leq 190$  days).
7. Apply an 80% remission on the Distribution and Retail water consumption charge of the estimated water loss, excluding eligible pensioners and not-for-profit entities who will receive a 100% remission on the Distribution and Retail water consumption charge of the estimated water loss.
8. Apply the remission as a financial adjustment to the customer's property account, which will be shown on the next quarterly rate notice.
9. Provide a once only opportunity during the period of ownership to replace a previous leak remission amount where a second major leak occurs within 3 years of the first leak repair date where the calculated water loss for the second leak is greater than the calculated loss for the first leak. This is administered by the customer forgoing the first leak remission amount, which will be replaced by the approved calculated remission amount for the second leak. This does not affect the commencement of the three year period stated in 2(b), which commenced from the date the first leak was repaired.

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## Concealed Leaks Policy

### Definitions

Term	Definition
<i>Small customer</i>	Defined as either: <ol style="list-style-type: none"> <li>A residential customer who is connected to a SEQ service provider's water or wastewater service and receives a rate notice in their name that includes charges for water and wastewater services; or</li> <li>A non-residential customer who uses no more than 100 kilolitres of drinking water and/or reticulated recycled water per annum (based on the last four consecutive quarter water readings not leak affected).</li> </ol>
Concealed leak	Where a loss of water has occurred that is hidden from view, either underground, under or within concrete, or underneath a building, where there are no visible signs of dampness or soaking and where the owner or occupant could not be reasonably expected to know of its existence.  <b>Note:</b> It <i>does not</i> include water loss from: <ul style="list-style-type: none"> <li>Leaking taps, toilet cisterns or other water appliances.</li> <li>Leaks in water tanks or faulty tank float valves that are plumbed to the potable water supply.</li> <li>Property sprinklers or other irrigation systems.</li> <li>Leaking or plumbing related faults with hot water systems, which includes solar hot water systems.</li> <li>Leaks in swimming pools, spas and other water features and fittings.</li> </ul>
Not-for-profit entity	Not for profit entities: <ul style="list-style-type: none"> <li>are formed for a purpose that does not include the profit or gain of its individual members or owners;</li> <li>exist for any lawful purpose that provides a public benefit, at large or in a particular locality that improves or promotes community welfare, education, or safety; and</li> <li>has voluntary membership only.</li> </ul> Examples include: <ul style="list-style-type: none"> <li>Charity organisations</li> <li>Religious organisations</li> <li>Sporting and recreational clubs</li> <li>Community service organisations</li> <li>Cultural and social societies</li> </ul>
Eligible Pensioner	A person in receipt of Council's pensioner rebate as verified by Council's database.

### Associated Documents

Fact Sheet - Has your water usage increased?

[https://www.redland.qld.gov.au/download/downloads/id/2239/has\\_your\\_water\\_usage\\_increased.pdf](https://www.redland.qld.gov.au/download/downloads/id/2239/has_your_water_usage_increased.pdf)

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## Concealed Leaks Policy

Concealed water leak application form

[https://www.redland.qld.gov.au/download/downloads/id/1441/concealed\\_leak\\_application\\_form.pdf](https://www.redland.qld.gov.au/download/downloads/id/1441/concealed_leak_application_form.pdf)

### Document Control

Changes to this policy can only be approved by Council through a Resolution at a Council Meeting. This policy is reviewed annually.

Approved amended documents must be submitted to the Corporate Meetings and Registers Team to place the document on the Policy, Guidelines and Procedures Register.

### Version Information

Refer to Corporate Meetings and Registers Team for previous versions.

Version Number	Date	Key Changes
3	June 2014	<p>The primary change to the policy is it has been reworded to improve readability. Amendments to the policy are:</p> <ol style="list-style-type: none"> <li>1) Name change to the policy to comply with the policy name given in the Code.</li> <li>2) Change to the Head of Power.</li> <li>3) Inclusion of definitions for a small customer and a small business customer.</li> <li>4) Updated definition of a concealed leak including exclusions.</li> <li>5) To comply with the section 9(b) of the Code, inclusion of information to assist small customers to physically identify concealed leaks.</li> <li>6) Extension of the time period in which a customer may apply for a concealed leak.</li> <li>7) Clarification of how the average water consumption is calculated.</li> <li>8) Transparency for the customer to be told if the average water consumption is calculated by another method.</li> <li>9) Removal of reference to the General Manager Redland Water &amp; RedWaste.</li> </ol>
4	April 2017	<p>The primary changes to the policy are based on the revised South East Queensland Customer Water and Wastewater Code.</p> <ol style="list-style-type: none"> <li>1) How a remission payment is calculated.</li> <li>2) Change to the reading period taken into consideration for the calculation from two periods to one.</li> <li>3) Minimum remission cap to apply.</li> <li>4) Allowance of photographic evidence to be supplied where available.</li> <li>5) Change to the application deadline from four months to five.</li> </ol>
5	June 2019	<p>The primary changes to the policy are to create consistency in calculating and assessing remissions by:</p> <ol style="list-style-type: none"> <li>1) Having a leak repaired as soon as practical.</li> <li>2) Providing a reading as soon as practical after a repair.</li> <li>3) Calculation on average daily use on four (4) quarters that is not leak</li> </ol>

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## Concealed Leaks Policy

Version Number	Date	Key Changes
		<p>affected.</p> <p>4) New owners average daily use based on readings taken after the repair.</p> <p>5) Using the adopted Distribution and Retail water charge.</p> <p>6) Remission period covering two (2) reading periods.</p> <p>Remission shown on the quarterly rate notice.</p>
5	June 2019	<p>The primary changes to the policy are to create consistency in calculating and assessing remissions by:</p> <p>1) Having a leak repaired as soon as practical.</p> <p>2) Providing a reading as soon as practical after a repair.</p> <p>3) Calculation on average daily use on four (4) quarters that is not leak affected.</p> <p>4) New owners average daily use based on readings taken after the repair.</p> <p>5) Using the adopted Distribution and Retail water charge.</p> <p>6) Remission period covering two (2) reading periods.</p> <p>Remission shown on the quarterly rate notice.</p>
6	October 2020	<p>The primary change to the policy is it has been reworded to improve readability. Amendments to the policy are:</p> <p>1) Document Control added to policy.</p> <p>2) Prior Version Information to CMRT.</p> <p>Associated Documents added.</p>
7	May 2021	<p>Changes to the policy included:</p> <p>1) Making not-for-profit entities eligible for a 100% remission on the RCC portion of the lost water.</p> <p>2) Providing a once only opportunity for a leak remission to be replaced with a leak remission for a second leak within the 3 year period where the second leak was greater than the first leak, without affecting the 3 year period that commenced at the date of the first leak repair.</p>

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## Financial Hardship Policy

Policy Identifier: FIN-004-P  
 Approved by: General Meeting  
 Date of Approval:  
 Effective Date:  
 Review Date:  
 Version: 3

### Head of Power

*South East Queensland Water (Distribution and Retail Restructuring) Act 2009*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Magistrates Courts Act 1921*

*Uniform Civil Procedure Rules 1999*

South East Queensland Customer Water and Wastewater Code

Debt Collection Guideline: for collectors and creditors

### Policy Objective

This policy is a requirement under the *South East Queensland Customer Water and Wastewater Code*. It provides a framework to support 'small customers' that are experiencing financial hardship as a result of an unexpected event or unforeseen changes.

Assistance is available under the Financial Hardship Policy where there is an ongoing state of financial hardship and difficulty in meeting basic living needs is experienced on an ongoing basis. Customers must be assessed for financial hardship and will be required to provide information about their financial situation to access a payment plan under this policy.

### Policy Statement

This policy is based on shared responsibility between council and the customer and is delivered in a model that supports self-determination to allow small customers to gain control of their rate account with a realistic and affordable approach.

The Financial Hardship Policy is aligned to the objectives of Council's Corporate Plan and this is achieved through Council's commitment to:

- Treating customers fairly, with respect, sensitivity and confidentiality at all times.
- Effective processes for the early identification of a small customer who is in financial hardship which includes, but not limited to:
  - A small customer contacting Council themselves.
  - A Redland City Council officer contacting the small customer.
  - A referral by the Energy and Water Ombudsman Queensland.
  - A referral by an accredited financial counsellor or community agency providing assistance to people experiencing financial hardship.

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## Financial Hardship Policy

- Publishing this policy on its website.
- Assessing financial hardship through information provided by the customer, which will include financial records and/or a Statement of Financial Position.
- Ensuring small customers who are identified as experiencing financial hardship have access to:
  - Flexible payment plan options.
  - Convenient payment channel options including Centrepay, Direct Debit and Quick Pay.
  - Relief from legal action from the date a payment plan is mutually agreed.
  - Relief from interest being charged on overdue rates and charges provided the mutually agreed payment plan is met.
  - Information on the grounds that may be considered in order to remit in full or in part water consumption charges under the *Local Government Regulation 2012*.
  - Information to assist in reducing water consumption charges. Further information is available at [https://www.redland.qld.gov.au/info/20250/green\\_living/603/conserving\\_water](https://www.redland.qld.gov.au/info/20250/green_living/603/conserving_water)
  - Information provided about appropriate government concession programs and financial counselling services that may be available to them. [https://www.redland.qld.gov.au/info/20171/rates/782/pay\\_your\\_rates](https://www.redland.qld.gov.au/info/20171/rates/782/pay_your_rates)
- Establishing payment plan options that are based on the ratepayer's individual circumstances and within Council guidelines. Where payment plans are not adhered to or are otherwise unsuccessful interest on overdue amounts will be reinstated.
  - Council expects ratepayers to take responsibility for their debt obligations and to organise their affairs in such a way as to be able to discharge these obligations as agreed.
  - Council reserves the right to commence legal action, including registering a charge on the ratepayer's property for any outstanding arrears balance, if the ratepayer does not meet their obligations or their circumstances are found to have improved but they are not willing to reduce the rate arrears in a more timely manner.

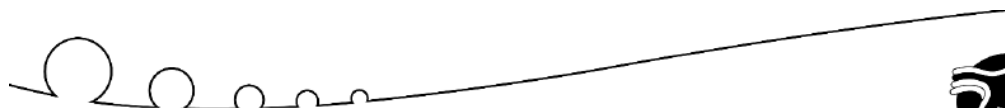
## Definitions

Term	Definition
Small Customer	<p>The <i>South East Queensland Customer Water and Wastewater Code</i> defines a small customer as:</p> <ul style="list-style-type: none"> <li>• A residential customer that is connected to a water or wastewater service and receive a rate notice in their name for the property that is in arrears.</li> <li>• A non-residential customer that is connected to a water or wastewater service and use, or would use, less than 100 kilolitres of drinking water per annum.</li> </ul>

## Associated Documents

Collection of Rates and Charges and Other Revenues Policy ([A196581](#))  
 Collection of Rates and Charges and Other Revenues Guideline ([A214701](#))  
 Collection of Rates Procedure ([A220378](#))  
[Financial Hardship Application Form](#)

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# Financial Hardship Policy

## Document Control

Only Council can approve amendments to this document by resolution of a Council Meeting, with the exception of administrative amendments which can be approved by the relevant ELT member. Refer to *Policy Instrument Development Manual* for an explanation on administrative amendments ([A4063988](#)).

Any requests to change the content of this document must be forwarded to relevant Service Manager(s).

Approved documents must be submitted to the Corporate Meetings and Registers Team for registration.

## Version Control

Version number	Date	Key Changes
1	6 November 2019	New Policy
2	January 2020	Administrative update to new policy framework template
3	April 2021	Updated for 2021-22 Budget process Minor amendment to wording to remove 'interest free' from the flexible payment plan options and to include 'and within Council guidelines' in the establishment of payments plan options

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**13.3 OPERATIONAL PLAN QUARTERLY PERFORMANCE REPORT MARCH 2021****Objective Reference:** A5342291**Authorising Officer:** John Oberhardt, General Manager Organisational Services**Responsible Officer:** Tony Beynon, Group Manager Corporate Governance**Report Author:** Lorraine Lee, Senior Adviser Corporate Planning and Performance**Attachments:** 1. Operational Plan Quarterly Performance Report March 2021 [↓](#)**PURPOSE**

To provide an update on the progress of the Operational Plan 2020-2021 from 1 January to 31 March 2021.

**BACKGROUND**

The *Local Government Act 2009* (the Act) requires Council to adopt an operational plan each year. The Operational Plan 2020-2021 forms an important part of Council's strategic planning process and sets out the work Council plans to deliver towards achievement of the Corporate Plan 2018-2023.

The *Local Government Regulation 2012* also requires the Chief Executive Officer to present a written assessment of Council's progress towards implementing the annual Operational Plan at meetings of Council, at least quarterly.

**ISSUES**

The Operational Plan 2020-2021 defines 68 significant activities that Council plans to undertake during the year. Table 1 details the status of planned activities undertaken in quarter three.

The attached Operational Plan Quarterly Performance Report March 2021 provides a status update and comment summarising overall progress for each of the 68 significant activities in quarter three. The information in the report has been provided by the responsible departments for each significant activity.

Of the 68 significant activities, all are on track.

**Table 1**

Status of significant activities in the Operational Plan 2020-2021	
On Track	68
Total	68

**Carried forward significant activity**

One significant activity has been carried forward from the Operational Plan 2019-2020. This activity will be monitored through the Operational Plan Quarterly Performance Report.

Significant activity carried forward from the Operational Plan 2019-2020	Status
5.1.7 - Implement actions outlined in the Cleveland Centre Traffic and Transport Action Plan 2019-2020.	On track

**Summary**

A more detailed summary of the progress of each significant activity for quarter three is outlined in the attached Operational Plan Quarterly Performance Report March 2021.

**STRATEGIC IMPLICATIONS****Legislative Requirements**

Council's Operational Plan 2020-2021 is an important statutory document which sets out the significant activities that Council plans to deliver for the financial year. The significant activities directly contribute to outcomes specified in the Corporate Plan 2018-2023. Tracking progress against this plan provides a useful assessment of Council's performance in delivering against its plans.

The *Local Government Regulation 2012* (section 174) states that "the chief executive officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals not more than 3 months". Under the same section of the regulation, Council is allowed to amend the plan at any time before the end of the financial year.

**Risk Management**

The risk of not delivering against Council's Operational Plan is that Council does not achieve the commitments set out in the longer term corporate and community plans. Each significant activity has associated risks which are managed by the relevant area of Council.

**Financial**

The Operational Plan 2020-2021 is funded from the 2020-2021 Annual Budget.

**People**

Significant activities listed in the Operational Plan 2020-2021 are managed by the responsible Council group. The status and comments for each significant activity in the attached report are provided by the relevant group. The report is compiled by the Strategy and Governance Unit. Although delivery of the plan itself is dependent on staff resources and some significant activities relate to people issues, there are no direct impacts on people resulting from this report.

**Environmental**

Some significant activities within the Operational Plan 2020-2021 directly contribute to Council's environmental commitments. However, this report does not have any direct environmental impacts.

**Social**

Some significant activities within the Operational Plan 2020-2021 directly contribute to Council's social commitment. However, this report does not have any direct social impacts.

**Human Rights**

There are no human rights implications associated with this report.

**Alignment with Council's Policy and Plans**

Council's Operational Plan 2020-2021 outlines planned significant activities against the eight key outcomes in the Corporate Plan 2018-2023. As such, it is a key planning document and consistent with both the Corporate Plan 2018-2023 and the Redlands 2030 Community Plan.

Council adopted a new corporate Plan on 16 December 2020, for commencement on 1 July 2021. Council's new Corporate Plan '*Our Future Redlands – A Corporate Plan to 2026 and Beyond*'

provides Council with a framework for forward planning and future delivery of services and infrastructure.

This quarterly operational plan is in response to Council's current, but soon to expire Corporate Plan 2018-2023.

## CONSULTATION

Consulted	Date	Comments
<b>Office of CEO:</b> Head of People, Culture and Organisational Performance	March 2021	The status and comments have been provided by the officers involved in delivering the particular significant activities within the Operational Plan 2020-2021.
<b>Organisational Services:</b> General Manager Organisational Services	March 2021	The status and comments have been provided by the officers involved in delivering the particular significant activities within the Operational Plan 2020-2021.
<b>Community and Customer Services:</b> General Manager Community and Customer Services	March 2021	The status and comments have been provided by the officers involved in delivering the particular significant activities within the Operational Plan 2020-2021.
<b>Infrastructure and Operations:</b> General Manager Infrastructure and Operations	March 2021	The status and comments have been provided by the officers involved in delivering the particular significant activities within the Operational Plan 2020-2021.

## OPTIONS

### Option One

That Council resolves to note the Operational Plan Quarterly Performance Report March 2021.

### Option Two

That Council requests additional information in relation to the attached Operational Plan Quarterly Performance Report March 2021.

## OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/148

**Moved by:** Cr Adelia Berridge

**Seconded by:** Cr Paul Bishop

**That Council resolves to note the Operational Plan Quarterly Performance Report March 2021.**

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.





# Operational Plan 2020 - 2021

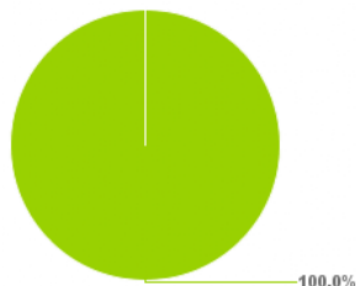
**January to March 2021**



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## Vision Outcome – Quarter Summary

Vision Outcome	On Track	Total
1 Healthy natural environment	9	9
2 Green living	6	6
3 Embracing the bay	4	4
4 Quandamooka Country	5	5
5 Wise planning and design	12	12
6 Supportive and vibrant economy	12	12
7 Strong and connected communities	10	10
8 Inclusive and ethical governance	10	10
<b>Total</b>	<b>68</b>	<b>68</b>



### Progress Status

■ On Track

### On Track

The significant activity is progressing on time and on budget and is on track for delivery.

### Monitor

There are issues with timeframes and/or budget but it is still expected that with close monitoring the significant activity will be delivered.

### Complete

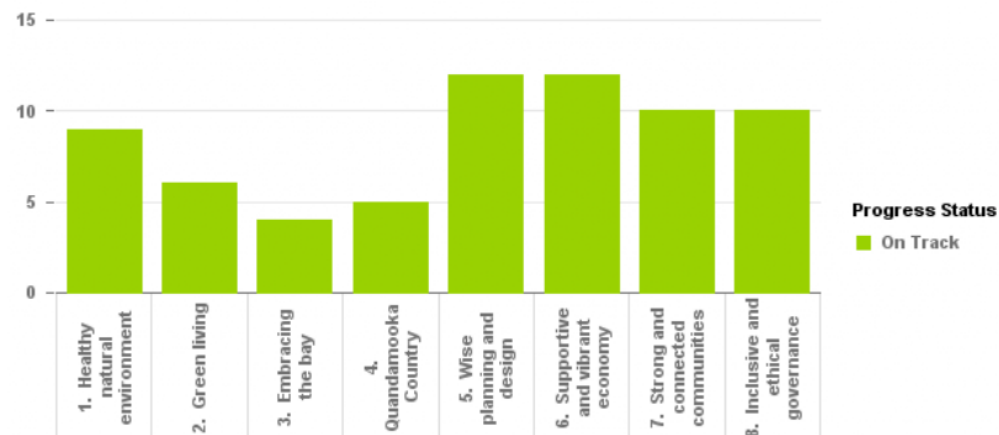
The significant activity has been delivered.

### Concern

There are significant delays or budget issues and it is unlikely that the significant activity will be delivered.

### Cancelled

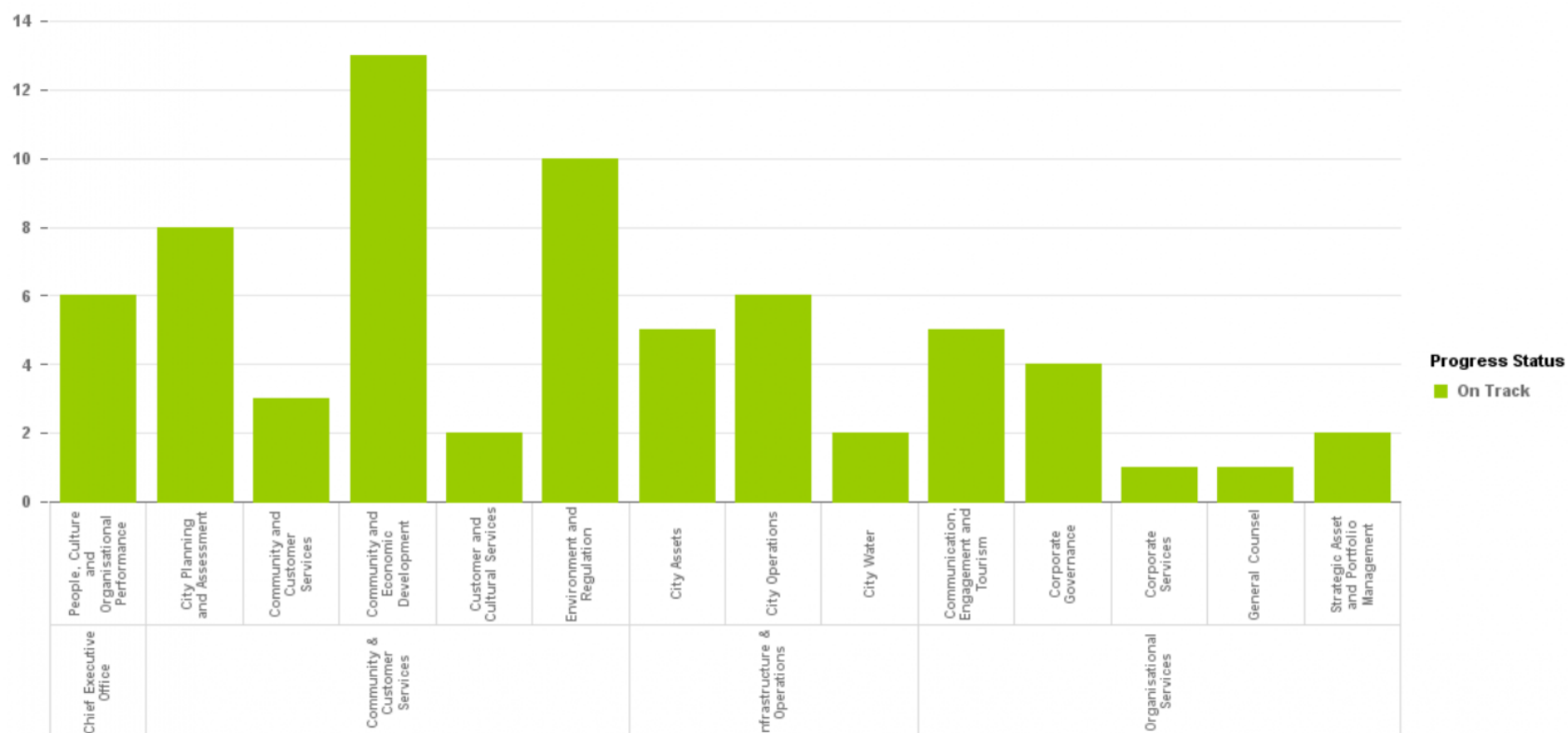
The significant activity has been cancelled.



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## Organisational Performance – Quarter Summary

Department	On Track	Total
Chief Executive Office	6	6
Community & Customer Services	36	36
Infrastructure & Operations	13	13
Organisational Services	13	13
<b>Total</b>	<b>68</b>	<b>68</b>

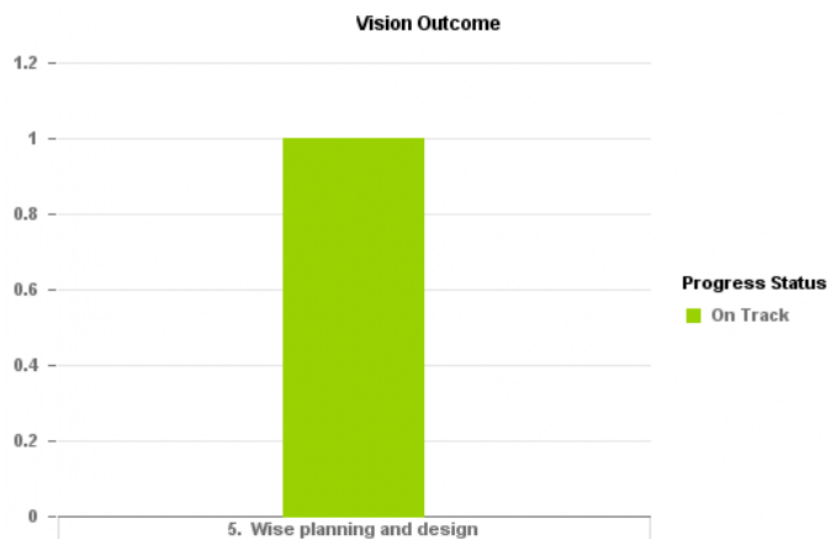


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## Carried Forward – Quarter Summary

### Activities from Operational Plan 2019-2020

Vision Outcome	On Track	Total
5 Wise planning and design	1	1
Total	1	1



<b>On Track</b>	The significant activity is progressing on time and on budget and is on track for delivery
<b>Monitor</b>	There are issues with timeframes and/or budget but it is still expected that with close monitoring the significant activity will be delivered.
<b>Complete</b>	The significant activity has been delivered.
<b>Concern</b>	There are significant delays or budget issues and it is unlikely that the significant activity will be delivered
<b>Cancelled</b>	The significant activity has been cancelled.

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## 1. Healthy natural environment

### 2023 Strategic Outcomes

1.1 Redland's natural assets including flora, fauna, habitats, biodiversity, ecosystems and waterways are managed, maintained and monitored.

1.2 Threatened species are maintained and protected, including the vulnerable koala species.

1.3 Community and private landholder stewardship of natural assets increases.

1.4 Visitors experience our natural assets through high standard facilities, trails, interpretation and low impact commercial ventures.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Plan and progress a program to improve conservation management and protect natural assets.	1.1.1	Infrastructure & Operations	On Track	Council's conservation management improvement program incorporates weed management, re-vegetation works and fire management activities across Redlands Coast. Weed management was undertaken in over 320 sites with 3,140 plants being planted within conservation reserves. This included 695 at the South Street Depot, Cleveland, 360 at Thornlands Road, Thomlands and 866 at Pinelands Circuit, Redland Bay. Proactive planning occurred for the upcoming planned burn program with 36 burns currently proposed across the mainland, North Stradbroke Island and Southern Moreton Bay Islands. Scheduled proactive slashing of 830 fuel reduction zones and 319 blocks was undertaken which equated to 8,821 hectares during quarter three.
Provide clear guidelines on how Redland City Council will meet its biosecurity obligations, inform the Redlands Coast community and manage invasive plants, pest fish and pest animals under the Redlands Coast Biosecurity Plan 2018-2023.	1.1.2	Community & Customer Services	On Track	<p>A total of 583 properties were inspected during the reporting period, with 35 advisory notices issued to properties in relation to pest weeds. Upper Tingalpa Creek catchment has been a focus during the quarter, particularly targeting the Dutchmans Pipe plant species, a threat to the vulnerable Richmond Birdwing butterfly.</p> <p>Digital biosecurity training for Council officers is under development.</p> <p>Officers continued to participate in meetings and workshops with Biosecurity Queensland, Stradbroke Island Pest Management Group, Redlands Coast Biosecurity Working Group and the Local Government Association of Queensland.</p> <p>Education material was finalised for biosecurity awareness for an upcoming targeted community campaign.</p>
Geographically identify and provide priority actions for the management, enhancement and protection of core wildlife habitat and facilitate improved connection of wildlife corridors in alignment with the Wildlife Connections Plan 2018-2028.	1.1.3	Community & Customer Services	On Track	Council officers began analysis of the Environment Separate Charge to gain insights into more closely aligning environmental programs to manage, enhance and protect the core habitat and corridors identified in the Wildlife Connections Plan. The outcomes of this analysis will be used to determine the effectiveness of funding distribution and inform any changes.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Conduct erosion and sediment control regulation to minimise environmental impacts from approved development activities.	1.1.4	Community & Customer Services	On Track	<p>There were 42 requests received during the quarter for investigations into potential contaminate release and dust concerns. There were 11 sites raised for erosion and sediment control matters for proactive compliance inspections and monitoring. Ten of the city's larger development sites remain open for monitoring.</p> <p>Council officers undertook professional development attending the Erosion and Sediment Control Regulatory and Compliance Capacity Building workshop for Local and State Government.</p>
Continue to progress a program to plant one million native plants across Redlands Coast by 2026.	1.1.5	Infrastructure & Operations	On Track	<p>The One Million Plants Program aims to have planted one million plants by 2026. During quarter three, 3,140 plants were planted within 14 conservation reserves and locations including the South Street Depot, Cleveland, Thomlands Road, Thomlands and Pinelands Circuit, Redland Bay. So far in the 2020-2021 financial year the conservation team has planted 39,617 plants across the city. Since the beginning of the program 416,970 plants have been planted by Council operational teams and community Bushcare groups across the mainland and Southern Moreton Bay Islands.</p>
Implement management actions for a viable koala population and conserve and manage suitable habitat, in accordance with the Redland City Council Koala Conservation Action Plan 2016-2021.	1.2.1	Community & Customer Services	On Track	<p>Council officers continued to engage with Department of Environment and Science and other relevant local government areas regarding the State's South East Queensland Koala Conservation Strategy 2020-2025.</p> <p>Officers provided advice for the Wellington Street upgrade, Heinemann Road Mount Cotton Precinct, Birkdale Community Precinct, Macarthur Street and Alexandra Hills project.</p> <p>The annual four-month community koala awareness campaign (September-December) was completed in January 2021. Griffith University Social Marketing conducted a community co-design session to evaluate and inform on relevance of the campaign messaging after three years.</p> <p>The annual city-wide koala awareness survey was undertaken in March 2021. Evaluation of all koala programs included community feedback on an awareness campaign, sign project and social media performance.</p> <p>The launch of Phase 3 of Redlands Coast Koala Watch was delayed due to COVID-19 restrictions.</p> <p>A review of 2016-2021 Koala Conservation Strategy and Action Plan commenced.</p> <p>The University of Sunshine Coast (USC) koala research team monitored ambassador koalas in Ormiston, Birkdale, Thomlands, and selected properties in Mount Cotton. Regular monitoring reports were provided to the community via social media.</p> <p>A city-wide genetics survey (repeat of 2018) by USC detection dog team was completed during October 2020 to March 2021. Surveying of approximately 40 of the 250 city-wide sites was impacted due to COVID-19 and weather conditions.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Enhance community education, awareness and involvement in environmental and wildlife management	1.2.2	Community & Customer Services	On Track	<p>The annual city-wide koala awareness survey was undertaken in March 2021. Evaluation of all koala programs included community feedback on an awareness campaign, sign project and social media performance.</p> <p>A Coastal Raptors Citizen Science workshop was successfully facilitated, with 25 participants gaining skills and knowledge to contribute to the program.</p> <p>The installation of an eastern osprey nest pole at Sam Sciacca Oval, in preparation of nest relocation, was delayed due to wet weather.</p> <p>The Birdlife Powerful Owl workshop was successfully held with 20 new volunteers participating. This project is the largest citizen science project with 500 volunteers, including 80 in the Redlands Coast.</p> <p>Wildlife officers attended the quarterly South East Queensland Flying-fox working group with federal, state and local government representatives to discuss flying-fox movement, behaviour and management activities.</p> <p>Officers participated in the Glossy Black Cockatoo Conservancy meeting with Local Government Association of Queensland and Department of Environment and Science officers.</p> <p>Redlands Wildlife Care Network (8am-5pm) received 1,005 calls for assistance with Redlands Afterhours Wildlife Ambulance (5pm-8am) receiving 657 calls for assistance. The total for both services was 1,662.</p> <p>Wildlife officers conducted monthly flying-fox roost monitoring and undertook community engagement with residents at various roost sites. Work commenced to develop a Flying-Fox Roost Management Plan (including communication strategy).</p> <p>Redland City Council hosted the 25th Ibis Management Co-ordination Group meeting at the IndigiScapes Centre.</p> <p>The annual Coochie Curlew Count was held in February with 50 volunteers participating and 233 birds counted.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Achieve improved environmental outcomes through extension programs delivered in accordance with adopted environmental strategies and plans.	1.3.1	Community & Customer Services	On Track	<p>Environmental Partnership programs continued to focus on recruitment within/adjacent to strategically placed environmental corridors. Council conducted 104 property visits across the city, providing education on best practice environmental management. As a result 3,009 plants were planted in high value locations on private properties to enhance and restore the natural environment and corridor linkages.</p> <p>An Environmental Trivia Night was undertaken at IndigiScapes. This created a novel way for participants to receive education on environmental management, threatened species, pest animals, weeds and local native species.</p> <p>The annual Fire Management Planning workshop was held at the IndigiScapes Centre in March 2021. The morning session was open to the community and the full day training was for environmental program participants to prepare a site specific individual fire management plan for their property. The workshop was a collaboration between Council, Queensland Fire Emergency Services and Rural Fire Services to provide information to the community via displays at the IndigiScapes Centre.</p> <p>Environmental education campaigns were delivered via social media, targeting landholders to improve understanding around environmental and land management.</p> <p>An education and awareness display was installed during March 2021 in the IndigiScapes Discovery Centre to promote conservation and restoration activities on private properties.</p> <p>The Community Bushcare program commenced the annual cycle with a Bushcare Open Day for interested residents. A series of training sessions were successfully provided including the annual convenors update, new volunteer induction and hosting an ecology workshop. As a result of these activities, a new group application has been lodged along with a request for a short-term community project. All groups have reactivated and recommenced conservation activities (following restrictions on activities as a result of COVID-19) including planting 290 native plants.</p>
Enhance the visitor experience of natural assets across Redlands Coast.	1.4.1	Infrastructure & Operations	On Track	<p>Council has continued project work including modification of taps and troughs for horses and other users at the Ford Road Conservation Area and Don and Christine Burnett Conservation Area to ensure they flow better and do not present a risk for horses to use. A new fence was installed at the Don and Christine Burnett Conservation Area to demarcate the front of the reserve and ensure users entered safely by the appropriate access points. Trail systems and access point development was undertaken for the Eastern Escarpment Conservation Area as an outcome of a State Government grant and reserve planning.</p>



## 2. Green living

### 2023 Strategic Outcomes

2.1 Council's policies and plans support ecologically sustainable development and respond to climate change issues.

2.2 Sustainable building design (for example, solar panels and water tanks) is supported through education and advocacy.

2.3 Council's waste management plans address current and future needs, and include plans for closed landfills and regional collaboration.

2.4 Council and the community actively recycle and reduce waste.

2.5 Transport planning reflects a desire to maximise economic, environmental and liveability outcomes through quality road design, public transport, pedestrian and cycling strategies.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Monitor Redland City Council's emissions and carbon footprint, and implement reduction strategies.	2.1.1	Community & Customer Services	On Track	<p>The Energy and Emissions Dashboard, which monitors Council's electricity usage and carbon emissions, continued to provide information for continuous improvement and identification of opportunities to further reduce consumption across Council.</p> <p>The Environment and Education Unit, together with the Disaster Management Unit, applied for a local government grant to fund a ten kilowatt solar panel system with a ten kilowatt battery to be installed at the new State Emergency Service (SES) shed in Redland Bay. The primary purpose of the system will be to improve the resilience and self-sufficiency of the SES during power outages.</p>
Provide educational opportunities to the Redlands Coast community.	2.2.1	Community & Customer Services	On Track	<p>An education and awareness campaign promoting various sustainability-focused products, activities, changes in behaviour, and events that the community can actively participate in, was delivered via social media.</p>
Plan and deliver waste management services to meet current and future needs across Redlands Coast.	2.3.1	Infrastructure & Operations	On Track	<p>At a Council Special Meeting on 25 March 2021, Councillors endorsed in principle a longer term draft Waste Management Plan developed by the Council of Mayors (SEQ) to guide a regional approach to waste management as well as develop markets for recycled products. Council also considered its draft Waste Reduction and Recycling Plan 2021-2025 and approved it for community consultation from 27 April 2021.</p> <p>The draft Waste Reduction and Recycling Plan 2021-2025, developed alongside the broader draft South East Queensland Waste Management Plan, outlines how Council and the community can work together to better use the existing kerbside waste, recycling and green waste services as efficiently as possible. It also sets targets to double the number of households with a green-waste bin for garden organics, as well as halve the amount of recyclable material being placed into general waste bins.</p> <p>Work continued on a closed landfill remediation strategy for Judy Holt Park.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Provide kerbside recycling bins and encourage the Redlands Coast community to increase their recycling.	2.4.1	Infrastructure & Operations	On Track	<p>Over 900 new green waste services were requested by residents which is equivalent to capturing an extra 12.5 tonnes of garden organics each fortnight. 90 of the larger 340L recycling bins were ordered or exchanged during quarter three enabling residents to store more recyclables at home between collections. During the month of February 2021, 1.96 tonnes of electronic waste (e-waste) was received during a collection drive at North Stradbroke, Russell, Macleay and Coochiemudlo Islands Recycling and Waste Centres. A total of 263kg of small e-waste, thongs, beauty products, x-rays and video tapes have been received at the Indigiscapes recycle station. Redlands Coast's domestic recycling rate for quarter three was 53.9% with a total of 16,702 tonnes being recycled out of the 31,000 tonnes of waste and recyclables handled for the period from both kerbside and waste facilities. The high recycling rate can be attributed to wet weather experienced over February and March 2021 resulting in the percentage of total green waste handled increasing from 28% (June to December 2020) to 34% (January to March 2021).</p> <p>The promotion of a green waste contamination reduction campaign helped ensure that garden organics placed in green waste bins is clean and free from contamination. Some of the many communication initiatives for this campaign included targeting back to school waste reduction, taking rubbish home with you during Australia Day celebrations and supporting Clean-up Australia Day.</p>
Manage planning for transport initiatives and services, and advocate for public transport across Redlands Coast.	2.5.1	Community & Customer Services	On Track	<p>The Redland Bay Marina Car-Share Trial, a six-month trial to test the acceptance and potential of car-share schemes targeted to benefit the Southern Moreton Bay Islands community, has been extended to April 2021 due to delays caused by COVID-19.</p> <p>A trial of short-term parking for 26 parking spaces in Middle Street and Bloomfield Street, Cleveland continued. The six-month trial, which commenced in December 2020, seeks to balance parking management options in the core of Cleveland CBD by providing short-term parking spaces.</p>
Expand the footpath and cycleway network.	2.5.2	Infrastructure & Operations	On Track	<p>Work has continued on a whole of city plan to assist in identifying the future cycleways and pedestrian paths needed across the city. This work has involved mapping the existing network, determining gaps and needs in the network and mapping the major trunk cycleways, including the Moreton Bay Cycleway. This is being used to develop future project scopes in line with the network priorities.</p> <p>During quarter three Council has constructed 1,609 metres of footpath/cycleways.</p>

### 3. Embracing the bay

#### 2023 Strategic Outcomes

3.1 Council collaborates with partners to understand, nurture and protect Moreton Bay's marine health and values.

3.2 Communities on the islands and foreshores enjoy equitable access to development opportunities and community services.

3.3 Our community is ready for and adapting to changing coastlines, storm tide and severe weather.

3.4 Redland City's residents and visitors can easily access the foreshore and use recreation infrastructure for boating and non-boating activities.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Monitor and develop strategies aimed at identifying priority areas to inform decision making and improve aquatic environments.	3.1.1	Community & Customer Services	On Track	<p>Council continued to actively participate in partnerships with Healthy Land and Water and the Council of Mayors (SEQ). Officers contributed to various regional working groups associated with these partnerships such as the Moreton Bay Ramsar Wetland Stakeholder Network, Monitoring and Evaluation Steering Committee, South East Queensland's Water by Design Steering Committee and the Resilient Rivers Initiative.</p> <p>The 2020-2021 Ambient Waterways Monitoring Program was undertaken in a new phased format. Phase one involved monitoring fewer sites than in previous years. Phase two was introduced to conduct further monitoring in selected catchments targeting opportunities for improvement identified during Phase One. The improved design for the Ambient Waterways Monitoring Program will provide better insight into the health of the catchments, assist with identifying sources of pollution and flag opportunities for improving catchment and waterway health.</p> <p>Officers continued to progress the development of the draft Redlands Coast Bay and Creeks Plan incorporating opportunities to deliver on the Lower Brisbane-Redland Coastal Catchment Action Plan (CAP). Project development was initiated for two potential works projects associated with delivery of the CAP.</p>
Work with island communities to identify and understand community service issues and responses.	3.2.1	Infrastructure & Operations	On Track	<p>Council collaborated with a group of service providers to support a weekly homelessness response program on Russell Island. Council continued to support better outcomes for Southern Moreton Bay Islands children aged zero to eight to access appropriate community services through a partnership approach with Brisbane South Primary Health Network, the Southern Moreton Bay Island Listeners organisation and other partner agencies. Council investigated opportunities and barriers to support improved "Ageing in place" outcomes for the Southern Moreton Bay Islands.</p>
Continue to develop and implement the Redland City Council Coastal Hazard Adaptation Strategy.	3.3.1	Infrastructure & Operations	On Track	<p>Development of the Coastal Hazard Adaptation Strategy has been finalised with the final phase report and the strategy document being completed by the project consultant and undergoing community consultation. The strategy document was reviewed and endorsed by Council's Technical Working Group and Coastal Adaptation Steering Committee and approved by the Local Government Association of Queensland expert panel.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Improve access provisions to Moreton Bay.	3.4.1	Infrastructure & Operations	On Track	<p>Work continues on the development of a foreshore access policy and plan to manage access to the bay for non-motorised watercraft including:</p> <ul style="list-style-type: none"><li>• refinements to typology/hierarchy of foreshore access and levels of services to align with catchments used in the Open Space Strategy</li><li>• completion of a preliminary review of existing foreshore access to identify gaps in the network and opportunities for new and upgraded infrastructure</li><li>• investigations of the most appropriate format of the final produced/deliverable and the benefits of different options.</li></ul> <p>Operational and capital works continue to deliver a program of upgrades to the recreational boating facilities available to the community. Council continues to cooperate with Department of Transport and Main Roads on the management of the network of boat ramps.</p>

## 4. Quandamooka Country

### 2023 Strategic Outcomes

4.1 Council's organisational and staff capacity to deliver positive outcomes for Aboriginal communities, including the Quandamooka People, is improved through policy, cultural awareness training and cultural heritage training for elected members and Council staff.

4.2 Council's and the community's respect and understanding of the Quandamooka Peoples' relationship with their traditional land and waters continue to improve.

4.3 Council continues to support and resource the delivery of commitments under the Indigenous Land Use Agreement (ILUA) with the Quandamooka People.

4.4 Council works with the Quandamooka Traditional Owners to help them achieve their goal of establishing North Stradbroke Island (Minjerribah) as a global eco-cultural tourism destination.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Implement culturally appropriate protocols and promote traditional knowledge.	4.1.1	Organisational Services	On Track	The Quandamooka Cultural Day training was attended by eight employees. The Neembeba Binung Gana (look, listen, understand) Elders Cultural Day, run by Minjerribah Moorgumpin Elders-in-Council, was attended by 11 people. All Indigenous training days continued to be promoted throughout Council.
Promote awareness and understanding of Quandamooka culture.	4.2.1	Organisational Services	On Track	Council promoted through Our Redlands Coast magazine a North Stradbroke Island Historical Museum exhibition focusing on an aspect of Quandamooka history. Another story was run in the magazine about the Traditional Owners' connection to Birkdale Community Precinct. Council also produced collateral focusing on Quandamooka history and culture in community engagement, including videos featuring Quandamooka Elder Uncle Bob Anderson and fact sheets. Where known, Jandai language place names were used in a variety of media communications, and acknowledgement of Quandamooka Traditional Owners was included in fortnightly print advertising and on Council's website. Acknowledgement of Traditional Owners was included at the start of all speeches.
Promote Indigenous events and celebrate Quandamooka and Aboriginal and Torres Strait Islander culture.	4.2.2	Organisational Services	On Track	Council continued to implement actions in the Kanara Malara - One People 2019-2021 Internal Redland City Council Reconciliation Action Plan. A planned visit to the Enoggera Army Base to share Indigenous journeys and stories was postponed due to Brisbane's COVID-19 lockdown. Two new exhibitions opened at the Redland Art Gallery (RAG) on 26 March 2021. These included the 'Recent Acquisitions: Works from the RAG Collection', including a selection of works by Quandamooka Artists, and 'Singing Up Spirit of the Land' with the focus of this exhibition being Uncle Bob Anderson. Welcome to Country was undertaken for all Council Library programs.
Support delivery of Indigenous Land Use Agreement (ILUA) commitments.	4.3.1	Organisational Services	On Track	Council continued to manage the Indigenous Land Use Agreement (ILUA) sub-committees and monitor progress of ILUA activities. The quarter two ILUA quarterly report for 2020-2021 year was presented to the Executive Leadership Team in January 2021.
Contribute to the implementation of the Queensland Government's Minjerribah Futures transition program and the Redland City Council Economic Development Framework 2014-2041.	4.4.1	Community & Customer Services	On Track	Council engaged with Quandamooka Yoolooburabee Aboriginal Corporation (QYAC) representatives about a potential investment attraction opportunity on North Stradbroke Island (Minjerribah).

## 5. Wise planning and design

### 2023 Strategic Outcomes

5.1 Growth and development in the city is sustainably managed through the adoption and implementation of the Redland City Plan and Local Government Infrastructure Plan.

5.2 Redland City's character and liveability are enhanced through a program of master planning, place-making and centre improvement strategies, including maximising opportunities through the catalyst Toondah Harbour Priority Development Area and Redlands Health and Wellness Precinct projects to build a strong and connected Cleveland.

5.3 An effective and efficient development assessment process delivers quality development that is consistent with legislation, best practice and community expectations.

5.4 Regional collaboration and targeted advocacy drives external funding for key infrastructure upgrades and enhanced community outcomes.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Manage planning for transport initiatives and services across Redlands Coast.	5.1.1	Community & Customer Services	On Track	The second deployment of the RACQ Smart Shuttle is underway and is operating a regular service along the deployment route on Masthead Drive, Raby Bay. The service has carried more than 700 passengers, and travelled 2,068 kilometres while predominantly operating in autonomous mode.
Ensure infrastructure necessary to support growth across Redlands Coast is provided through the development assessment process and capital works program.	5.1.2	Community & Customer Services	On Track	Local Government Infrastructure Plan projects continued to be delivered as part of development approvals and progressively scheduled through capital works programming and budget reviews for delivery by Council.
Develop a wastewater treatment plant strategy and master plan.	5.1.3	Infrastructure & Operations	On Track	Council's Wastewater Treatment Strategic Planning Study Draft report has been reviewed and work has commenced with a specialist environmental consultant to verify release opportunities to support the final strategy.
Develop solutions to upgrade the Capalaba Wastewater Treatment Plant.	5.1.4	Infrastructure & Operations	On Track	Upgrade solutions for the Capalaba Wastewater Treatment Plant have been considered in the Council's Wastewater Treatment Strategic Planning Study Draft Report. While the Strategic Planning Study is being finalised, minor upgrades to allow for the continued operation of the current treatment plant have been identified and are now either complete or scheduled for completion.
Finalise the Cleveland Centre Traffic and Transport Strategy.	5.1.5	Community & Customer Services	On Track	The Cleveland Centre Local Area Transport Plan has been scheduled for a future Council general meeting. A communication and engagement plan for the consultation period has been developed.
Maintain the Redland City Plan to ensure it reflects best practice and is responsive to Redlands Coast community expectations.	5.1.6	Community & Customer Services	On Track	A small number of State interest review comments were received in response to the proposed City Plan Major Amendment Package (04/20): Medium Density Residential zone code review. The matters raised were considered by Council in a confidential report to the General Meeting on 17 March 2021. Ministerial approval to proceed to public consultation is expected to be received in the next quarter. At the General Meeting on 17 March 2021 Council also considered a confidential report considering options to provide an enhanced level of protection for wildlife corridors and core habitat identified within the Wildlife Connections Plan where located within the urban footprint of the city. A proposed planning scheme amendment addressing these matters is scheduled to be considered at a future general meeting.



Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Implement actions outlined in the Cleveland Centre Traffic and Transport Action Plan 2019-2020. (Carried forward 2019-2020)	5.1.7	Community & Customer Services	On Track	<p>The Cleveland Short Term Parking Trial which was initiated following a Council resolution commenced in December 2020. The trial seeks to balance parking management options in the core of Cleveland CBD by providing short-term parking space.</p> <p>The remaining actions in the Cleveland Centre Traffic and Transport Action Plan are expected to be completed or substantially progressed by end of the 2020-2021 financial year.</p>
Coordinate a place management program for key activity centres and contribute to master planning for precincts.	5.2.1	Community & Customer Services	On Track	A review of the implementation of the Cleveland Centre Master Plan 2010 was undertaken. Scoping and stakeholder mapping commenced to inform development of a new centres management approach.
Coordinate planning and guidance for future development and infrastructure delivery for local areas across Redlands Coast.	5.2.2	Community & Customer Services	On Track	<p>Council is awaiting final approval from the Minister for State Development, Infrastructure, Local Government and Planning to proceed to public consultation on the South West Victoria Point Local Plan – Major Amendment Package (05/19). Once received a further report will be presented to Council at a future general meeting to address any conditions which may be imposed by the Minister and to seek approval to commence public consultation.</p> <p>Council is finalising a public submission report in response to public consultation on the draft preferred future land use intents for the Southern Thornlands Potential Future Growth Area. The consultation period ran from 28 September 2020 until 20 November 2020 during which time more than 200 submissions were received.</p>
Identify and protect places of European heritage significance.	5.2.3	Community & Customer Services	On Track	At the General Meeting on 17 March 2021 Council considered a report addressing public submissions received in response to public consultation on a proposed major amendment to include additional properties in the Heritage Schedule (schedule 7) of City Plan. At the meeting, subject to minor changes, Council resolved to proceed with the proposed amendment and seek final ministerial approval. In addition, Council resolved to adopt a Temporary Local Planning Instrument (TLPI) to provide interim protection to additional properties proposed for inclusion in the Heritage Schedule (schedule 7) of City Plan while the planning scheme amendment process is finalised. The proposed TLPI has subsequently been approved by the Minister for State Development, Infrastructure, Local Government and Planning.
Progress the Redlands Coast Adventure Sports Precinct Project.	5.2.4	Community & Customer Services	On Track	Council continued planning for the Redlands Coast Adventure Sports Precinct, an integrated Aquatic Centre and Olympic standard Canoe-Kayak Slalom facility to provide additional sport, recreation and emergency services education and training facilities for the city. Engagement was maintained with the State Government 2032 Olympic and Paralympic Games Taskforce regarding the event city opportunity for the precinct. A meeting of the Redlands Coast Adventure Sports Precinct Industry Stakeholder Reference Group was held on 21 January 2021. A Project Manager was appointed in March 2021.
Maintain effective systems and processes that underpin quality and timely decision making for development applications.	5.3.1	Community & Customer Services	On Track	Ongoing improvement to systems and processes for development applications were made to ensure good decision making in a timely manner. This included refining event processes to accurately calculate legislative target dates automatically. Development.i has also been purchased and is currently in the process of its testing phase as a replacement system for PD Online. Development.i will deliver a more user-friendly interface for customers seeking information on development applications within the city.
Contribute to implementation of a South East Queensland (SEQ) City Deal.	5.4.1	Community & Customer Services	On Track	The South East Queensland City Deal continued to be progressed.

6. Supportive and vibrant economy

2023 Strategic Outcomes

- 6.1 Council supports infrastructure that encourages business and tourism growth.
- 6.2 Redland City delivers events, activities and performances that bring economic and social benefits to the community.
- 6.3 Council's involvement in the State Government's North Stradbroke Island Economic Transition Committee supports and aligns with Council's strategic objectives, which help deliver long-term economic sustainability for North Stradbroke Island (Minjerribah).
- 6.4 Council receives a return on the community's investment in land to enhance economic and community outcomes.
- 6.5 Growth in key sectors identified in Council's Economic Development Framework is supported through the development and implementation of action plans by the Industry Economic Development Advisory Board.
- 6.6 Development will be facilitated specifically in the Toondah Harbour Priority Development Area (PDA) and Weinam Creek PDA with a focus on economic growth.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
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Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Develop Redlands Coast Destination Management Plan 2021-2026.	6.1.1	Organisational Services	On Track	<p>Council continued the development of the new Redlands Coast Tourism Destination Management Plan 2021-2026 which included further consultation with Brisbane Economic Development Agency and the principal consultant EarthCheck.</p> <p>Council provided regular updates, information and resources to tourism and event organisers regarding the COVID-19 Greater Brisbane three-day lockdowns in January and March 2021. This included four e-newsletters sent to more than 500 operators and two surveys to measure the industry impact from the two lockdowns.</p> <p>Council continued to promote Redlands Coast in destination marketing initiatives including the development of visitor e-newsletters, Facebook, Instagram and the Visit Redlands Coast website and blogs to promote tourism experiences and events with posts viewed by more than 103,091 people. Council promoted North Stradbroke Island (Minjerribah) tourism experiences on Channel Seven's Weekender series with local tourism operators showcased including Yura Banji Scooters/Yura Tours, Yulu Burri Ba Dancers, Oasis Dining Experience and Allure Stradbroke Resort.</p> <p>As part of Redlands Coast destination marketing initiatives, Council participated in The Courier-Mail Easter tourism feature wrap on 10 March 2021 which included promotion of local Redlands Coast tourism experiences including a winery glamping experience, yacht charters, accommodation, scuba diving tours, Quandamooka art gallery workshops and exhibitions, sand boarding and local seafood experiences.</p> <p>Council delivered an industry development workshop on 16 March 2021. The Creating Exceptional Experiences Program focused on customer service, a key action of the Redland City Tourism Strategy and Action Plan. The workshop was attended by 55 local tourism operators.</p> <p>Council delivered a tourism industry networking event at North Stradbroke Island (Minjerribah) on 24 February 2021 called Creating Connections. It was an opportunity for local tourism operators to create connections, hear from Council's tourism team about how tourism businesses could get involved in destination marketing opportunities, industry development programs, events and initiatives. The industry networking event was attended by 60 local tourism operators.</p> <p>Council continued to work with Queensland Government's Department of Tourism, Innovation and Sport through the Minjerribah Futures team, Brisbane Economic Development Agency, Tourism and Events Queensland and EarthCheck to develop new cultural tourism experience offerings on North Stradbroke Island (Minjerribah) as well as a campaign on social media to promote North Stradbroke Island (Minjerribah) as a destination of choice. These initiatives are part of the Minjerribah Futures Economic Transition Strategy.</p> <p>The Redlands Coast Visitor Information Centre received 1,301 walk in, written and telephone visitor enquiries, and received more than 14,508 views on the tourism website. A total of 85,568 people were reached on Facebook with 29 posts, while 66,819 people were reached on Instagram with 52 posts and stories.</p>
Implement the Redlands Coast Smart and Connected Cities Strategy.	6.1.2	Community & Customer Services	On Track	An internal review of the draft Redlands Coast Smart and Connected City Strategy continued.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Deliver actions in the Redland City Events Strategy and Action Plan 2017-2022.	6.2.1	Organisational Services	On Track	<p>Council continued to deliver actions in the Redland City Events Strategy and Action Plan 2017-2022 through the provision of support, advice and assistance for community event organisers to deliver COVID-19 safe events in line with State Government's COVID-19 restrictions on events and gatherings. This included regular meetings, teleconferences and communication between event organisers and key Council and State Government departments. Council facilitated the delivery of eight community events attended by 10,268 people. Events included Queensland Triathlon Series, Redland Museum Heritage and Harmony Fiesta, South East Queensland Trail Running Series, Junior Mountain Biking Clinic and a variety of markets across Redlands Coast. Council distributed four industry e-newsletters to tourism and event operators.</p> <p>Council delivered seven COVID-19 safe events attended by 3,919 people. Events included the Australia Day awards function, two citizenship ceremonies, and four Australia Day activation events including the Great Australian Bites event at Raby Bay Foreshore Park.</p>
Deliver events, activities and workshops that contribute to bringing economic and social benefits for the Redlands Coast community.	6.2.2	Community & Customer Services	On Track	<p>Many business and community networks that are facilitated and supported by Council have been transitioning back to face-to-face meetings as COVID-19 restrictions are gradually relaxed. On 17 March 2021 Council staff participated in the SEQ Local Government Community Safety and Graffiti Practitioners Networking Meeting. The fourth Business Brews was held at Bacchus Brewery in Capalaba on 11 March 2021, with a focus on export opportunities. Carers Qld, in partnership with Headspace Capalaba and Council, hosted a pop-up event in Cleveland Library Square to celebrate Neighbour Day on 25 March 2021. Council also participated in a State-sponsored Small Business Roadshow on 10 February 2021 that aimed to help government better understand the issues and challenges faced by businesses in light of COVID-19.</p>
Continue to roll-out the city's new destination brand, Redlands Coast - Naturally Wonderful.	6.2.3	Organisational Services	On Track	<p>The Redlands Coast brand was promoted through the Birkdale Community Precinct campaign, which launched on 16 March 2021, to encourage the community to provide feedback on their ideas for the development of the land. The campaign was delivered on Redlands Coast as well as the Greater Brisbane area across the marketing channels of print, social media, billboards, bus panels, bus shelters and radio and cinema advertising. The Redlands Coast brand also continued to generate awareness via two websites, social media and digital advertising as well as Council-owned bus shelters. The Redlands Coast Deals &amp; Rewards App continued to be promoted and further developed, including via media promotion of its success with Cleveland's Grand View Hotel promotion, which attracted day trippers from as far as Ipswich and the Gold Coast.</p>
Coordinate Redland City Council's involvement in the implementation of the Queensland Government's Minjerribah Futures transition program.	6.3.1	Community & Customer Services	On Track	<p>Council continued to work closely with the Queensland Government on the implementation of the State's Minjerribah Futures Program.</p>
Identify and develop strategic opportunities for Redland City Council land holdings.	6.4.1	Community & Customer Services	On Track	<p>Negotiations continued during quarter three between Redland Investment Corporation and the preferred developer, Shayher Group, to refine commercial agreements and the master plan for the Capalaba Town Centre redevelopment.</p>
Provide secretariat support for the Redland City Economic Development Advisory Board (EDAB).	6.5.1	Community & Customer Services	On Track	<p>At the General Meeting on 2 December 2020 Council noted that a review of the Redlands Economic Development Advisory Board was to be undertaken, with a further report to be brought back to Council for consideration by 30 June 2021. Board meetings have been suspended while the review is undertaken.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Deliver industry-enabling action plans and a targeted investment attraction strategy.	6.5.2	Community & Customer Services	On Track	<p>The development of a draft Manufacturing Industry Sector Plan continued to be progressed with Council commissioning KPMG to assist with industry engagement. Sessions will be held next quarter due to delays caused by COVID-19.</p> <p>A manufacturing training opportunity has been identified under the State Government's Regional Skills and Investment Strategy program and discussion with TAFE as the training provider has commenced. Work continued on strengthening the network of manufacturing businesses through a Business Brews event and the manufacturing reference group meeting.</p> <p>Planning for the Aspire city-wide Courses and Careers Expo scheduled in June 2021 commenced with principals and school representatives providing input and support. Sponsorship and exhibitor packages have been developed and promotion of the event has commenced. Engagement with education stakeholders was regularly maintained.</p> <p>Implementation of actions of the Education and Training, Health Care and Social Assistance and Rural Enterprises industry sector plans continued including planning for a Health Care and Social Assistance Summit.</p>
Review Redland City Council's economic recovery response to COVID-19.	6.5.3	Community & Customer Services	On Track	Council continued to monitor the impact of COVID-19 on businesses and communities to ensure the Social and Economic Recovery Plan support mechanisms and initiatives are targeted and appropriate. A review of the Social and Economic Recovery Plan commenced. Regular coordination with businesses and community stakeholders continued through the Financial and Economic Recovery Group and the Community Recovery Group meetings held on 24 February 2021.
Facilitate the Toondah Harbour Priority Development Area (PDA) in partnership with Economic Development Queensland.	6.6.1	Community & Customer Services	On Track	Environmental Impact Studies for the Toondah Harbour Priority Development Area are nearing completion, ready for submission in the next quarter.
Facilitate the development of the Weinam Creek Priority Development Area (PDA) in partnership with Economic Development Queensland.	6.6.2	Community & Customer Services	On Track	<p>The master plan for the Weinam Creek Priority Development Area was Property Made with Economic Development Queensland, and the Information Request was received. The consultant team began working through the queries which is occurring in parallel with the detail design of the main parking area, road network and open space.</p> <p>Council, in partnership with Redland Investment Corporation, released a 3D rendered animation of the master plan. It was promoted on Council's social media, website and advertised in local media. 'Meet the planner' sessions were held to better inform the community of the infrastructure and benefits included in the master plan, and to allow the community an opportunity to ask questions.</p> <p>Council conducted a survey, seeking feedback on the master plan through Council's Your Say site.</p>

## 7. Strong and connected communities

### 2023 Strategic Outcomes

7.1 Festivals, events and activities bring together and support greater connectivity between cross-sections of the community.

7.2 Council maximises community benefit from the use of its parklands and facilities by improving access to, and the quality and shared use of, public spaces and facilities by groups for sporting, recreational and community activities.

7.3 Council's assessment of community issues and needs provides timely opportunities to pursue grants and partnerships that realise long-term benefits.

7.4 Council supports volunteerism and participation in civic projects through clear and supportive Council processes to reduce red-tape, and engage and recruit volunteers for Council projects.

7.5 The community's preparedness for disasters is improved through community education, training and strong partnerships between Council and other agencies.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Celebrate the cultural life of Redlands Coast.	7.1.1	Community & Customer Services	On Track	<p>COVID-19 restrictions on public gatherings and travel continued to affect programs, events and activities in quarter three. Although there continued to be low community infection rates, the primary reason for inhibiting attendance has been the risk of lockdowns and cancelled events. Redland Performing Arts Centre (RPAC) audiences are showing confidence in Council's COVID Safe practices, and full capacity numbers are returning to performances, gallery programs and workshops.</p> <p>Redland Art Gallery (RAG) continued to deliver a diverse program for 2021, including both local artists and visiting exhibitions. RPAC's revised season format saw the introduction of the ACT 1 (Jan – April) program – full of diverse performances for a broad cross section of the community. Initiatives such as "Stage Sessions" was delivered specifically to support local artists – mainly music and cabaret. RPAC attendance for the quarter was 8,142 consisting of 3,591 entrepreneurial, 1,266 commercial and 1,185 internal attendees.</p>
Plan, provide and advocate for essential social infrastructure for Redlands Coast community activities.	7.2.1	Community & Customer Services	On Track	<p>At the General Meeting on 20 January 2021 Council resolved to note the Redlands Coast Age-friendly Action Plan 2021-2026, and endorse the Redlands Coast Age-friendly Action Plan 2021-2026 to progress to community consultation for a period of 40 days commencing late January 2021. Council engaged with the community on the action plan through a consultation process that ran from 22 January to 2 March 2021. Feedback from the community engagement was incorporated into the final draft plan. In partnership with Griffith University's Regional Innovation Data Lab, Council commenced a collaborative social data project with external community service providers to improve the collection, analysis and visualisation of local community needs. This information will strengthen Council's ability to guide the development of social services, networks and facilities necessary to support the growth and needs of the Redlands Coast community.</p>
Improve sport and recreation club sustainability and strategic planning.	7.2.2	Infrastructure & Operations	On Track	<p>Council developed a new community grants program to assist Redlands Coast community organisations and sporting clubs impacted by COVID-19 to continue operations and improve sustainability.</p> <p>The Organisation Support Grant aims to assist organisations to stabilise, recover and refocus over the following 12 month period.</p> <p>The Capital Infrastructure (Maintenance) Program aims to assist recipients to address urgent building compliance work for community facilities to meet relevant laws and codes.</p> <p>The Community Grants Program was released in February 2021 and closes 1 April 2021.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Plan for effective sport and recreation across Redlands Coast.	7.2.3	Infrastructure & Operations	On Track	<p>The implementation of the Redlands Coast Sport and Recreation Precinct Master Plan continued with Aurecon as the principal concept design contractor undertaking investigations and design workshops. A concept design workshop was held 3 March 2021. Community clubs and internal stakeholders have been involved in various sessions with feedback on the concept design documentation collated and provided to Aurecon.</p> <p>Planning for the optimisation of existing facilities for sport and recreation across Redlands Coast progressed with receipt of the Final Active Recreation and Sports Facilities Action Plan (Optimisation Study) on 23 March 2021.</p> <p>Suitable land identified to potentially meet the current and future sport and recreation needs continues to be captured through the Property Investment Framework project.</p>
Plan for future uses of the Birkdale land and Willard's Farm sites.	7.2.4	Community & Customer Services	On Track	A community engagement program was launched on 17 March 2021 for the broader Birkdale Community Precinct including Willards Farm to help shape the long term vision for the precinct. The community engagement program includes a Your Say page on Council's website, suite of collateral including fact sheets, videos and a survey. Planning for community open days and stakeholder workshops in April 2021 are well developed and pop-ups in libraries and shopping centres have been scheduled. All resulting feedback will be used to inform the final vision for the precinct and feed into the master planning process that follows. Detailed investigations continue to ensure the environmental and cultural heritage values are protected and highlighted in any future use or activity on site.
Deliver Redland City Council's Grants and Sponsorship Program.	7.3.1	Community & Customer Services	On Track	The 2020-2021 Community Grants Program opened on 15 February 2021. Organisational Support (Sustainability) Grants were specifically targeted to assist community organisations experiencing financial and operational hardship due to COVID-19. Capital Infrastructure Grants (Maintenance) provided organisations with assistance for urgent maintenance of community facilities to meet compliance standards. A total of 37 applications were received for Organisation Support (Sustainability) and 33 applications for Capital Infrastructure (Maintenance) were received. The grants assessment process commenced.
Activate and engage the Redlands Coast community through programs and partnerships to encourage reading and all forms of literacy as part of the implementation of the Library Services Strategy 2017-2022.	7.3.2	Community & Customer Services	On Track	Redland libraries continued to operate under a COVID-19 Safe Plan, with people limits, contact tracing and other safety arrangements in place. Amity Point is the only branch that remains closed to comply with public health directions related to COVID-19, however a home delivery service continued servicing 16 clients. Events, program and community outreach services resulted in 1,387 participants being engaged in over 50 literacy-focused programs and activities across the city. Programs included First 5 Forever, English as a second language group and book and Kanopy club. Libraries presented Girls in Tech activities for International Women's Day and the Story Dogs program continued with the Mayor in attendance. Social media engagement continued, with the Redland Reads online membership steadily increasing to 84 clients. Library staff continued to provide assistance to library clients in the use of the Redland Libraries app and digital collections and the introduction of the Check in QLD app in early March saw library staff provide assistance to thousands of clients to download and use this on their devices. Pop-up libraries and home delivery services continued with COVID Safe measures in place.
Continue to review volunteer engagement in Redland City Council.	7.4.1	People, Culture and Organisational Performance	On Track	Six new work experience placements occurred in this quarter in the Community and Customer Services Department. Volunteers are managed directly with the placement area. In this quarter, the Redland Art Gallery had taken on four volunteers. IndigiScapes had approximately 111 volunteers this quarter in its Bushcare and nursery area. Numbers are slightly lower this year due to COVID-19.
Build disaster resilience.	7.5.1	Organisational Services	On Track	During quarter three Council engaged with the community through static displays in Council's libraries and attended multiple events including IndigiScapes and Neighbour Day events. Due to inclement weather, a few engagement events were either postponed or cancelled during this quarter. Council is working closely with various agencies to develop a robust training program for our Community Champions and Disaster Chaplains. The Redland Local Disaster Management Group met on 24 March 2021.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Review Redland City Council's community recovery response to COVID-19.	7.5.2	Community & Customer Services	On Track	The third meeting of the Community Recovery Taskforce was held on 24 February 2021. Council continued to monitor the impact of COVID-19 on the community and planning commenced for a future community workshop to understand the impact of the cessation of the Federal Government's JobKeeper support package. The community resilience project continued to assess vulnerability across Redlands Coast and a community resilience framework was developed in collaboration with the Community Recovery Taskforce. Council reviewed and updated its community grants program to target community groups to support recovery from COVID-19 impacts.



## 8. Inclusive and ethical governance

### 2023 Strategic Outcomes

8.1 Council's Information Management Strategy and technology systems are engineered to increase efficiency and provide excellent customer service outcomes.

8.2 Council produces and delivers against sustainable financial forecasts as a result of best practice Capital and Asset Management Plans that guide project planning and service delivery across the city.

8.3 Implementation of the Corporate Plan is well coordinated across Council and through a delivery mechanism that provides clear line of sight, accountability and performance measurement for all employees.

8.4 A continuous improvement focus underpins the organisation, creating a supportive environment for ideas and positive, well-managed change that enhances internal and external outcomes.

8.5 Council uses meaningful tools to engage with the community on diverse issues so that the community is well informed and can contribute to decision making.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Build on Redland City Council's software digital transformation.	8.1.1	Organisational Services	On Track	Council continued working to enhance core financial management and corporate performance and strategy systems. These systems will provide significant efficiencies to operations. Council continued internal engagement and consultation to define and draft the new Information and Communication Technology Strategy for 2020-2023 focusing on technology and digitisation. The rollout of Council's strategic fibre optic network is underway and in progress.
Improve Redland City Council asset management.	8.2.1	Organisational Services	On Track	The Asset Management Steering Committee finalised the improved Asset Management Framework – Roles & Responsibilities Profile governance document to ensure accountability and responsibility for funding, performance and management of Council assets is understood.  The initiative to improve our asset management data has begun with the focus being Council's water supply network. To support this initiative recruitment of an Asset Management Business Analyst and Asset Management Officer - Water has been completed.
Develop and implement a new corporate plan.	8.3.1	People, Culture and Organisational Performance	On Track	Council groups are completing project mandates for each key initiative and catalyst project. Council is using this information to prepare a delivery plan. Corporate Plan delivery is also being aligned with other Council planning processes including capturing relevant activities in Council's Operational Plan and Annual Budget, ensuring projects and programs are being managed through the Portfolio Management Office.
Improve strategic alignment and delivery.	8.3.2	People, Culture and Organisational Performance	On Track	Council's new Corporate Plan includes Council's services identified in our Corporate Service Portfolio to support improved alignment between our long term vision and goals and the services we deliver. Development of a new corporate performance reporting system continued with focus on the creation of internal scorecard reports.
Improve alignment between individual and Redland City Council performance.	8.3.3	People, Culture and Organisational Performance	On Track	Council launched an internal communication campaign to stimulate meaningful performance development conversations between managers and employees. Council piloted the cascading of goals of leaders to team members through Council's Human Resources Information System.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Deliver the Procurement Transformation Program.	8.3.4	Organisational Services	On Track	The Procurement Transformation Program is on track with key activities undertaken during quarter three including the release of the beta-version of the Procurement Portal for key stakeholders, increased contract management training and performance reporting, rollout of procure safety training package, scoping of category management training and data analytics, and recruitment of a procurement transformation manager.
Prioritise, define and manage Redland City Council's portfolio of projects.	8.3.5	Organisational Services	On Track	The 2020-2021 capital portfolio is being delivered in accordance with program and project plans. The portfolio's management is being facilitated through Portfolio, Program and Project governance forums. The draft 2021-2022 capital portfolio development and prioritisation is complete. The draft capital portfolios for 2022-2023 and 2023-2024 are being developed in consultation with the Capital Investment Working Group.
Continue to build a diverse and inclusive culture that enables cooperation, innovation and change to enhance outcomes.	8.4.1	People, Culture and Organisational Performance	On Track	The draft People Strategy 2021-2026 which includes diversity and inclusion initiatives went out for the first round of employee consultation. The change management portfolio added three new change projects and one new change program.
Support and enable improvement and innovation.	8.4.2	People, Culture and Organisational Performance	On Track	A number of improvement initiatives from a program of light touch service reviews have progressed and realised savings. Council's considered approach to benefits management provides a channel for these savings to be reinvested in business improvement and innovation projects that maximise performance and community outcomes. This approach continues to be refined. A briefing session with Councillors tested eight improvement ideas, with feedback and suggestions incorporated for further development. There are a number of new initiatives in development for consideration.
Conduct community engagement on a diverse range of issues.	8.5.1	Organisational Services	On Track	<p>This quarter saw the launch of community engagement for Birkdale Community Precinct, one of the most significant community engagement projects that Council has ever undertaken. Feedback is being received through a survey on Council's Your Say site.</p> <p>Media and marketing activities have been undertaken to create awareness and encourage feedback. This has included promotion on social media, radio ads, newspaper ads, billboards, bus shelter ads, bus backs, ferry screens, posters, cinema ads, direct mail, email, installations in Council libraries and customer service centres, on site flags and all of Council's media and marketing channels.</p> <p>A range of assets were developed to bring to life the site's values and potential, including a suite of videos, a virtual tour and a series of fact sheets.</p>



### 13.4 REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

**Objective Reference:** A5325295

**Authorising Officer:** John Oberhardt, General Manager Organisational Services

**Responsible Officer:** Tony Beynon, Group Manager Corporate Governance

**Report Author:** Lizzi Striplin, Corporate Meetings & Registers Team Leader

- Attachments:**
1. Council to CEO Delegations - Summary of Changes and Additions to Delegations [↓](#)
  2. Council to CEO Delegations - Acts, Regulations and other Legislation [↓](#)
  3. Council to CEO Delegations - Local Laws [↓](#)

#### PURPOSE

To confirm existing and delegate all new and amended functions and powers as identified in Attachment 1 of this report to the Chief Executive Officer in accordance with section 257(5) of the *Local Government Act 2009*.

#### BACKGROUND

Council has a range of legislative powers conferred on it by the *Local Government Act 2009* (the Act) and other acts. For operational effectiveness a number of Council's powers are delegated to the Chief Executive Officer (CEO).

Section 257 of the Act allows a local government to delegate a power under the Act or another act, other than where an act specifically states that the power must be exercised by Council resolution. Section 257(1)(b) of the Act specifically provides for a power to be delegated to the CEO. Section 257(5) of the Act provides that a delegation to the CEO must be reviewed annually by the local government.

The Local Government Association of Queensland (LGAQ) developed a complete register of all delegations under State and Commonwealth statutes which should be delegated to a local government CEO (the LGAQ Register). The LGAQ Register is updated regularly to reflect legislative amendments, most recently in April 2021.

#### ISSUES

In late 2013, Council conducted a full review of delegations to the CEO. The CEO was delegated all powers and functions as listed at that time in the LGAQ Register (Item 5.1.6 Coordination Committee Meeting 6 November 2013). This provided a new delegation framework which ensured that the CEO's delegations were completely up to date in accordance with relevant legislation at that time.

In subsequent years, Council conducted reviews of delegations to the CEO by adopting a report highlighting legislative changes that necessitated new or amended delegations to the CEO. By providing Council with an updated register consisting only of new and amended legislative provisions, Council is not given the opportunity to revise or reconsider the delegations already issued to the CEO.

As indicated above, section 257(5) of the Act requires that the local government annually review delegations to the CEO; this section was introduced by the *Local Government and Other Legislation Amendment Act 2012*. The Explanatory Notes to this amendment stated that the

purpose of the section was to ensure that delegations to the CEO remain consistent with the local government's policy direction and intent.

It is considered that presenting Council with the complete updated LGAQ register of legislative delegations for review better meets the legislative intent of section 257(5) as Council is afforded the opportunity to consider all delegations to the CEO, and such consideration is not confined to legislative provisions that have been amended.

Attachment 2 contains a complete register of all legislative delegations to the CEO, and indicates where such delegations require amendment or new delegations are recommended. This register is based on the LGAQ Register, compiled from recommended delegations to CEO from King and Company. This has also been reviewed by Legal Services with a view of previous delegations to ensure currency and consistency with existing powers of the CEO.

Attachment 3 contains a complete register of the delegations to the CEO under Redland City Council Local Laws. The amendments to this register are detailed below.

The delegations register refers to the legislative power to make operational decisions and not each instance that an operational decision is exercised. This report does not change any existing resolution of Council outside the scope of the matters contained in the attachments.

The delegations canvassed in this report and attachments do not include the delegation made by Council by resolution dated 23 October 2013 which authorises the CEO to expend funds up to \$2,000,000 on behalf of Council. While it could be argued that this delegation, which is now over six years old, warrants review given the upward movement in costs, particularly for infrastructure works, it is not recommended because there is no guidance provided by the LGAQ Register. If Council wishes to review this long standing financial delegation, a separate report would be appropriate benchmarking Redland City Council against other Local Governments. This paragraph has been included in this report to evidence compliance with section 257(5) of the *Local Government Act 2009*.

### **Summary of Amendments to Legislative Delegations to the CEO**

The amendments to existing delegations and new delegations recommended to be adopted, as identified in Attachment 2 are summarised in Attachment 1 of this report.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

The review and recommendations of this report are in accordance with the legislative requirements relating to delegation of powers to the CEO and to review these delegations annually.

### **Risk Management**

An entire updated register of legislative delegations to the CEO for review and revision if necessary is presented to Council to sufficiently meet the legislative intent.

### **Financial**

There are no specific financial implications associated with this report.

### **People**

This review and report ensures that delegations to the CEO are up to date and allows the on-delegation of powers to appropriate officers to provide for the day to day operations of Council.

**Environmental**

There are no specific environmental implications associated with this report.

**Social**

There are no specific social implications associated with this report.

**Human Rights**

Consideration has been given to Human Rights legislation.

**Alignment with Council's Policy and Plans**

The annual review of delegations process provides an important role in the operation of Council in accordance with Council's policies and plans.

**CONSULTATION**

Consulted	Consultation Date	Comments
LGAQ	Ongoing through 2020/2021	LGAQ register of CEO to Council delegations reviewed based on King and Co. recommendations
Service Manager Legal Services	May 2021	Report and attachments reviewed and authorised
Group Manager Corporate Governance	May 2021	Report and attachments reviewed and authorised

Further consultation will occur with all relevant areas of Council impacted by the review.

**OPTIONS****Option One**

That Council resolves as follows:

1. To confirm the existing delegated powers identified in the attachments to this report.
2. To delegate authority to the Chief Executive Officer under section 257(1)(b) of the *Local Government Act 2009*, all new and amended functions and powers as identified in Attachment 1 of this report.
3. That officers undertake a review of the Chief Executive Officer's Financial Delegation, and bring a report to Council providing detail on the appropriate benchmarking against other Local Governments.

**Option Two**

That Council resolves as follows:

1. To retain the existing delegated functions and powers as listed in the attachments of this report.
2. To not delegate any additional or amended functions or powers to the Chief Executive Officer.

**OFFICER'S RECOMMENDATION**

That Council resolves as follows:

1. To confirm the existing delegated powers identified in the attachments to this report.
2. To delegate authority to the Chief Executive Officer under section 257(1)(b) of the *Local Government Act 2009*, all new and amended functions and powers as identified in Attachment 1 of this report.

3. That officers undertake a review of the Chief Executive Officer's Financial Delegation, and bring a report to Council providing detail on the appropriate benchmarking against other Local Governments.

**COUNCIL RESOLUTION 2021/149**

Moved by: Cr Rowanne McKenzie

Seconded by: Cr Tracey Huges

That Council resolves as follows:

1. To confirm the existing delegated powers identified in the attachments to this report as amended.
2. To delegate authority to the Chief Executive Officer under section 257(1)(b) of the *Local Government Act 2009*, all new and amended functions and powers as identified in Attachment 1 of this report as amended.
3. That officers undertake a review of the Chief Executive Officer's Financial Delegation, and bring a report to Council providing detail on the appropriate benchmarking against other local governments.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

## ATTACHMENT ONE

## SUMMARY OF CHANGES COUNCIL TO CEO DELEGATIONS

It is recommended that new delegation registers in respect of the following acts be adopted and delegated to the CEO:

**New Registers**

- *Land Regulation 2020*
- *Nature Conservation (Animals) Regulation 2020*
- *Nature Conservation (Plants) Regulation 2020*
- *Torres Strait Islander Cultural Heritage Act 2003*
- *Water Fluoridation Regulation 2020*

**Changes to Existing Registers**

- *Acquisition of Land Act 1967*
- *Building Act 1975*
- *Environmental Protection Act 1994*
- *Heavy Vehicle National Law (Qld)*
- *Industrial Relations Act 2016*
- *Land Act 1994*
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Marine and Energy Resources (Common Provisions) Act 2014*
- *Mineral Resources Act 1989*
- *Mining and Quarrying Safety and Health Act 1999*
- *Mining and Quarrying Safety and Health Regulation 2012*
- *Planning Act 2016*
- *Planning Regulation 2017*
- *Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020*
- *Transport Infrastructure Act 1994*
- *Transport Operations (Marine Pollution) Act 1995*
- *Work Health and Safety Act 2011*
- *Workers Compensation and Rehabilitation Act 2003*

**Changed Reprint Numbers Only**

- *Aged Care Act 1997*
- *Animal Care and Protection Act 2001*
- *Animal Care and Protection Regulation 2012*
- *Animal Management (Cats and Dogs) Act 2008*
- *Biosecurity Regulation 2016*
- *Body Corporate and Community Management (Accommodation Module) Regulation 2008*
- *Body Corporate and Community Management (Commercial Module) Regulation 2008*
- *Body Corporate and Community Management (Small Schemes Module) Regulation 2008*
- *Body Corporate and Community Management (Specified Two Lot Schemes Module) Regulation 2008*
- *Body Corporate and Community Management (Standard Module) Regulation 2008*
- *Body Corporate and Community Management Act 1997*
- *Disaster Management Act 2003*
- *Disaster Management Regulation 2014*

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## ATTACHMENT ONE

**SUMMARY OF CHANGES  
COUNCIL TO CEO DELEGATIONS**

- *Economic Development Act 2012*
- *Environmental Protection (Water and Wetland Biodiversity) Policy 2019*
- *Fire and Emergency Service Act 1990*
- *Food Act 2006*
- *Food Production (Safety) Act 2000*
- *Heavy Vehicle (Mass, Dimension and Loading) National Regulation*
- *Housing Act 2003*
- *Housing Regulation 2015*
- *Human Rights Act 2019*
- *Industrial Relations Regulation 2018*
- *Labour Hire Licensing Act 2017*
- *Land Title Act 1994*
- *Land Valuation Act 2010*
- *Liquor Act 1992*
- *Nature Conservation (Protected Areas Management) Regulation 2017*
- *Nature Conservation Act 1992*
- *Development Assessment Rules*
- *Plumbing and Drainage Act 2018*
- *Plumbing and Drainage Regulation 2019*
- *Public Health (Infection Control for Personal Appearance Services) Act 2003*
- *Public Health Act 2005*
- *Public Health Regulation 2018*
- *Public Interest Disclosure Act 2010*
- *Rail Safety National Law (Queensland)*
- *Right to Information Act 2009*
- *State Penalties Enforcement Act 1999*
- *State Penalties Enforcement Regulation 2014*
- *Summary Offences Act 2005*
- *Tobacco and Other Smoking Products Act 1998*
- *Transport Infrastructure (Public Marine Facilities) Regulation 2011*
- *Transport Infrastructure (State Controlled Roads) Regulation 2017*
- *Transport Operations (Marine Safety) Regulation 2016*
- *Transport Operations (Road Use Management (RUM)) Act 1995*
- *Transport Operations (RUM – Accreditation and Other Provisions) Regulation 2015*
- *Transport Operations (RUM – Vehicle Registration) Regulation 2010*
- *Waste Reduction and Recycling Regulation 2011*
- *Water Health and Safety Regulation 2011*
- *Workers Compensation and Rehabilitation Regulation 2003*

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## ATTACHMENT ONE

## SUMMARY OF CHANGES

### COUNCIL TO CEO DELEGATIONS

It is recommended that new and amended powers be delegated in respect of the following statutes (existing registers that have been amended).

**Building Act 1975**

Description of Power Delegated	Legislation	Change
Power, as assessment manager, to prepare a written statement of reasons	Section 68A(2) <i>Building Act 1975</i>	Inserted
Power, as the owner of a building, to by notice ask for a copy of any inspection documentation for the inspection performed by the building certifier	Section 124A(2) <i>Building Act 1975</i>	Inserted
Powers, as the owner of a building, to give an additional certification notice.	Section 143B(2) <i>Building Act 1975</i>	Inserted
Power to make a complaint to QBCC about a building certifier.	Section 190(1) <i>Building Act 1975</i>	Inserted
Power to inspect budget accommodation buildings at least once every 3 years	Section 228(2) <i>Building Act 1975</i>	Amended
Power to keep the records referred to in subsections 228(4)(a) to (c)	Section 228(4) <i>Building Act 1975</i>	Inserted
Power, as local government, to approve, with or without conditions, a later a 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 <i>Building Act 1975</i>	Amended

**Coastal Protection and Management Act 1995**

Description of Power Delegated	Legislation	Change
Power:- (a) as an owner of freehold land; or (b) an occupier of land, other than freehold land, adjacent to State tidal land; or (c) as a public utility provider; or (d) as a trustee under any law or agreement, to occupy and use State tidal land to carry out tidal works in accordance with a development permit or to maintain and use infrastructure constructed as part of tidal works.	Section 123(5) <i>Coastal Protection and Management Act 1995</i>	Amended

**Environmental Protection Act 1994**

Description of Power Delegated	Legislation	Change
Power, as an administering authority, to give notice or other document relating to an application made by joint applicants, to the principal applicant nominated in the application.	Section 130(3)(a) <i>Environmental Protection Act 1994</i>	Amended
Power, as an administering authority, to keep the documents listed in subsection 157(1) open for inspection by members of the public during office hours on business days for all of the access period.	Section 157(1) <i>Environmental Protection Act 1994</i>	Inserted

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## ATTACHMENT ONE

## SUMMARY OF CHANGES

### COUNCIL TO CEO DELEGATIONS

Description of Power Delegated	Legislation	Change
Powers, as an administering authority, to accept a properly made submission and a submission that is not a properly made submission.	Section 161(1) and (3) <i>Environmental Protection Act 1994</i>	Inserted
Power, as an administering authority, after making a decision under division 2, subdivision 2, to give written notice of the decision	Section 181 <i>Environmental Protection Act 1994</i>	Inserted
Power, as an administering authority, to make a final decision on an application for an environmental authority.	Section 194A <i>Environmental Protection Act 1994</i>	Inserted
Power, as an administering authority where an amendment application is not a properly made amendment application, to give the applicant a notice stating all the matter contained in the subsection.	Section 227AAB(2) <i>Environmental Protection Act 1994</i>	Inserted
Power, as an administering authority where a notice has been issued under subsection 227AAB(2), to agree to a further period to take the action mentioned in subsection 227AAB(2)(c).	Section 227AAC(2) <i>Environmental Protection Act 1994</i>	Inserted
Power, as an administering authority after receiving an amendment application, to decide whether the proposed amendment is a minor or major amendment.	Section 228(1) <i>Environmental Protection Act 1994</i>	Amended
Power, as an administering authority, to decide whether a final rehabilitation report includes enough information to decide that the requirements in section 264(b)(i) and 264(b)(ii) have been met.	Section 264 <i>Environmental Protection Act 1994</i>	Amended
Power, as an administering authority, after deciding a surrender application to take the steps listed in subsections 275(a) or 274(b) as applicable	Section 275 <i>Environmental Protection Act 1994</i>	Inserted
Power, as an administering authority in the circumstances set out in subsection 284AA(1), to cancel an environmental authority if the procedure in Chapter 5, Part 11, Division 2 is followed.	Section 284AA(2) <i>Environmental Protection Act 1994</i>	Inserted
Power, as the 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 316C.	Section 275 <i>Environmental Protection Act 1994</i>	Amended
Power, as an administering authority, to decide the amount and form of financial assurance required under a condition of an environmental authority	Section 310 <i>Environmental Protection Act 1994</i>	Amended
Power, as an administering authority, to give notice of the decision under section 310	Section 311 <i>Environmental Protection Act 1994</i>	Amended
Power, as an administering authority that receives an application under section 312, to approve or refuse the application and give the applicant notice of the decision	Section 314 <i>Environmental Protection Act 1994</i>	Amended

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## ATTACHMENT ONE

## SUMMARY OF CHANGES COUNCIL TO CEO DELEGATIONS

Description of Power Delegated	Legislation	Change
Power, as an administering authority, to require the holder of an environmental authority for which financial assurance has been given to change the amount of the financial assurance, including giving written notice to the holder.	Section 315 Environmental Protection Act 1994	Amended
Power, as an administering authority, in the circumstances referred to in 316C, to make a claim on or realise a financial assurance.	Section 316D Environmental Protection Act 1994	Inserted
Power, as an administering authority in the circumstances set out in subsection 316E(1) and (2) give written notice to the entity who gave the EPA assurance or the entity who paid the surety.	Section 316E Environmental Protection Act 1994	Inserted
Power, as an administering authority, to decide whether to make a claim on, or realise, the EPA assurance, or to ask for payment of the costs and expenses mentioned in subsection 316D(2)(b) and give an information notice about the decision.	Section 316G Environmental Protection Act 1994	Inserted
Power, as the administering authority, go give an annual notice.	Section 316I(2) Environmental Protection Act 1994	Inserted
Power, as the administering authority, to recover from the holder of an environmental authority as a debt, outstanding annual fees.	Section 316I(4) Environmental Protection Act 1994	Inserted
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 316L(1)(a) and 316L(1)(b).	Sections 316L and 316M Environmental Protection Act 1994	Inserted
Power, as an administering authority, to give the holder:- (a) if the decision is to change the day – written notice of the decision; or if the decision is not to change the day – an information notice for the decision.	Section 316N Environmental Protection Act 1994	Inserted
Power, as an administering authority to, in the circumstances specified in section 316P(1)(a) and 316P(1)(b):- (b) 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.; give written notice of the proposed requirement prior to making it.	Section 316P Environmental Protection Act 1994	Inserted

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## ATTACHMENT ONE

## SUMMARY OF CHANGES

### COUNCIL TO CEO DELEGATIONS

Description of Power Delegated	Legislation	Change
Power, as an administering authority, to ask any entity for advice, comment or information about an application made under Chapter 5.	Section 316Q <i>Environmental Protection Act 1994</i>	Inserted
Power, as a local government mentioned in section 320A(3)(c), 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) <i>Environmental Protection Act 1994</i>	Amended
Power, as a local government mentioned in sections 320A(3)(a) or 320A(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) <i>Environmental Protection Act 1994</i>	Amended
Power as a dissatisfied person, to apply for a review of an original decision.	Section 521(1) <i>Environmental Protection Act 1994</i>	Amended
Power, as a party to an appeal, to ask the Land Court to conduct or provide mediation for the appeal, participate in the mediation and attempt to settle the appeal at mediation.	Section 526 <i>Environmental Protection Act 1994</i>	Inserted
Power, as an applicant for internal review of an original decision mentioned in schedule 2, part 1 or 2, to apply for a stay of the decision.	Section 539A(1) <i>Environmental Protection Act 1994</i>	Inserted
Power, as an administering authority, to consider and decide a request for the issue of a temporary authority.	Section 547C(1) and (2) <i>Environmental Protection Act 1994</i>	Inserted
Power, as an administering authority, to give the person written notice of the decision to refuse the issue of a temporary authority and the reasons for the decision.	Section 547C(3) <i>Environmental Protection Act 1994</i>	Inserted
Power, as an administering authority, to issue a temporary authority by giving a written notice.	Section 547D(2) <i>Environmental Protection Act 1994</i>	Inserted

**Environmental Protection Regulation 2019**

Description of Power Delegated	Legislation	Change
Power, where Council is a referral agency for a development application for a material change of use for a concurrence ERA to assess the development application against the matters stated in subsection 21(2)(a) to (c).	Section 21(4) <i>Environmental Protection Regulation 2019</i>	Amended

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## ATTACHMENT ONE

## SUMMARY OF CHANGES

### COUNCIL TO CEO DELEGATIONS

**Heavy Vehicle National Law (Qld)**

Description of Power Delegated	Legislation	Change
Power, as an operator of a heavy vehicle that is the subject of a self-clearing defect notice, to apply to an authorised officer for written permission for the vehicle to be used on a road during a period stated in the permission.	Section 529AA <i>Heavy Vehicle National Law (Qld)</i>	Inserted
Power, as an operator of a heavy vehicle that is the subject of a major defect notice or minor defect notice, to make a request to an authorised officer for written permission for the vehicle to be used on a road during a period stated in the permission.	Section 529A(1) <i>Heavy Vehicle National Law (Qld)</i>	Amended
Power, as an operator of a heavy vehicle that is the subject of a major defect notice or minor defect notice, to provide the authorised officer with evidence of adequate repairs or other measures.	Section 529A(3) <i>Heavy Vehicle National Law (Qld)</i>	Inserted
Power, as a person given a decision notice, but not an information notice, for the reviewable decision, to ask the Regulator for a statement of reasons for the decision.	Section 641(6)(b) <i>Heavy Vehicle National Law (Qld)</i>	Inserted

**Industrial Relations Act 2016**

Description of Power Delegated	Legislation	Change
Power, as the employer, to keep an authorisation given under this section at, or in a place where it can be accessed from, a workplace or the employer in Queensland	Section 354B <i>Industrial Relations Act 2016</i>	Inserted
Power, as the employer in the circumstances set out in subsection 354C(1)m to give the information referred to in subsection 354C(2).	Section 354(2) <i>Industrial Relations Act 2016</i>	Inserted
Power, as an employer who has given information to the registered employee organisation under subsection 354C(2)(a), to notify the employee.	Section 354(5) <i>Industrial Relations Act 2016</i>	Inserted

**Land Act 1994**

Description of Power Delegated	Legislation	Change
Power, as trustee, to register a trustee lease in the appropriate register.	Section 57(7) <i>Land Act 1994</i>	Inserted
Power, as a relevant person, to apply to the Minister for written authority dispensing with the need to obtain the Minister's or chief executive's approval for relevant leases.	Section 64(1) <i>Land Act 1994</i>	Inserted
Power, as trustee or lessee, to apply for the simultaneous opening or closing of roads subject to section 109B(1)(a), (b) and (c).	Section 109B(1) <i>Land Act 1994</i>	Amended

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## ATTACHMENT ONE

## SUMMARY OF CHANGES COUNCIL TO CEO DELEGATIONS

**Local Government Act 2009**

Description of Power Delegated	Legislation	Change
Power to appoint a qualified person to act as chief executive officer during:- (a) any vacancy, or all vacancies, in the position; or (b) any period, or all periods, when the chief executive officer is absent from duty or can not, for another reason, perform the chief executive officer's responsibilities.	Section 195 <i>Local Government Act 2009</i>	Inserted

**Local Government Regulation 2012**

Description of Power Delegated	Legislation	Change
Power to take all reasonable steps to publish an invitation in another way to notify the public about establishing the register of pre-qualified suppliers.	Section 232(6) <i>Local Government Regulation 2012</i>	Amended

**Mineral and Energy Resources (Common Provisions) Act 2014**

Description of Power Delegated	Legislation	Change
Power, in the circumstances set out in subsection 91A(1), to give an arbitration election notice requesting the other party participate in an arbitration to decide the dispute.	Section 232(6) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	Amended
Power, as an owner or occupier of land that may be affected by a resource authority, to give notice to an authorised officer of concerns relating to the resource authority.	Section 101D(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	Inserted
Power, as an owner or occupier of land or another person interested in the concern, to participate in a conference conducted by the authorised officer, including agreeing to a settlement of the concern the subject of the conference.	Sections 101E(2) and 101F(3) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	Inserted
Power, as a party who attends a conference, to apply to the Land Court for an order requiring a party who did not attend the conference to pay the attending party's 'reasonable costs of attending.	Section 101F(4)(b) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	Inserted

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## ATTACHMENT ONE

## SUMMARY OF CHANGES

### COUNCIL TO CEO DELEGATIONS

***Mining and Quarrying Safety and Health Act 1999***

Description of Power Delegated	Legislation	Change
Power, as a person to give a notice by the CEO under subsection 259(1), to comply with the notice.	Section 259(3) <i>Mining and Quarrying Safety and Health Act 1999</i>	Inserted

***Mining and Quarrying Safety and Health Regulation 2017***

Description of Power Delegated	Legislation	Change
Power, as a responsible person for a mine, to apply to the chief executive to extend the period to give them a safety and health census.	Section 11D(2)(a) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	Inserted
Power, as a responsible person for a mine, in the circumstances set out in subsection 11DA(1), to choose to give a safety and health census each financial year rather than each quarter.	Section 11DA(2) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	Inserted
Power, as a responsible person for a mine, in the circumstances set out in subsection 11DB(1), to give the chief executive a safety and health census for the current quarter and each earlier quarter of the financial year, not previously given to the chief executive	Section 11DB(3) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	Inserted
Power, as a responsible person for a mine, to keep records enabling the accuracy of the information required to be included in the safety and health census to be verified.	Section 11DC(2) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	Inserted
Power, as a responsible person for a mine, to give the CEO the records within 14 days or a later period agreed in writing with the CEO	Section 11DC(5) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	Inserted
Power, as a worker's employer, to pay for the worker's health surveillance, respiratory health examination and health surveillance reports.	Section 145D(4) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	Inserted
Power, as a former worker's employer, to pay for the worker's health surveillance, respiratory health examination and health surveillance reports.	Section 11DC(2) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	Inserted
Power, as a former worker's employer, to carry out the respiratory health surveillance.	Section 11DC(2) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	Inserted

***Planning Act 2016***

Description of Power Delegated	Legislation	Change
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.	Section 18, 20 and 26 <i>Planning Act 2016</i>	Amended

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## ATTACHMENT ONE

## SUMMARY OF CHANGES COUNCIL TO CEO DELEGATIONS

Description of Power Delegated	Legislation	Change
Power to consider whether matters in subsection (2) apply in relation to a plan application made by an applicant who is not the owner of a premises to which the plan application relates.	Section 275V(3) <i>Planning Act 2016</i>	Inserted

***Planning and Environment Court Act 2016***

Description of Power Delegated	Legislation	Change
Power, as a party to a P&E Court proceeding, to agree to the ADR registrar or mediator disclosing information acquired as part of the ADR process.	Section 21(2)(a) <i>Planning and Environment Court Act 2016</i>	Amended

***Planning Regulation 2017***

Description of Power Delegated	Legislation	Change
Power to publish certain material listed in subsection 1 on Council's website after adoption of economic support instrument	Section 68E(1) <i>Planning Regulation 2017</i>	Inserted
Power to give a copy of the economic support instrument and adoption notice to the chief executive	Section 68E(3)(b) <i>Planning Regulation 2017</i>	Inserted
Power to publish notice of revocation of an economic support instrument.	Section 68G(2) <i>Planning Regulation 2017</i>	Inserted
Power to give copy of notice of revocation of economic support instrument to the chief executive	Section 68G(6) <i>Planning Regulation 2017</i>	Inserted

***Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020***

Description of Power Delegated	Legislation	Change
Power, in the circumstances prescribed by subsection 92(3), to:- (a) make a dispute resolution request under repealed section 12(2); and (b) make an application to the tribunal under repealed section 12(3).	Section 92(3) <i>Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i>	Inserted

***Transport Infrastructure Act 1994***

Description of Power Delegated	Legislation	Change
Power, as an owner or occupier of land, to provide written approval agreeing to the proposed temporary occupier occupying or using the land under section 35.	Section 36(1) <i>Transport Infrastructure Act 1994</i>	Amended
Power, as an owner or occupier of land, to make submissions to the proposed temporary occupier about the accommodation works or land management activities proposed to be carried out on the land.	Section 36(4) <i>Transport Infrastructure Act 1994</i>	Inserted
Power to enter into a lease or sublease of local government tollway corridor land to another person, for use as a tollway	Section 105J(9) and (10) <i>Transport Infrastructure Act 1994</i>	Amended
Power, as a person given a written notice under section 202(2D), to claim compensation under the Acquisition of Land Act 1967, section 12(5A) and (5BN) and part 4.	Section 303AAA <i>Transport Infrastructure Act 1994</i>	Inserted

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## ATTACHMENT ONE

## SUMMARY OF CHANGES

### COUNCIL TO CEO DELEGATIONS

***Transport Operations (Marine Pollution) Act 1995***

Description of Power Delegated	Legislation	Change
Power, if acting as a prescribed entity, to ask the chief executive to secure its discharge expenses.	Section 113(3) <i>Transport Operations (Marine Pollution) Act 1995</i>	Inserted
Power, if acting as a prescribed entity, to recover its discharge expenses as a debt.	Section 122(1) <i>Transport Operations (Marine Pollution) Act 1995</i>	Inserted
Power, if acting as a prescribed entity, to ask the chief executive to recover its discharge expenses.	Section 122(2) <i>Transport Operations (Marine Pollution) Act 1995</i>	Inserted

***Waste Reduction and Recycling Act 2011***

Description of Power Delegated	Legislation	Change
Power to make an exempt waste application to the chief executive.	Section 28 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power to provide further information or documents for an exempt waste application if required by the chief executive.	Section 29 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power to agree with the chief executive about extending the time for providing further information or documents for an exempt waste application.	Section 29(2) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the holder of an approval of waste as exempt waste, to request an amendment of the approval, and agree with the chief executive to the amendment of the approval.	Section 33 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the holder of an approval of waste as exempt waste, to make submissions in response to a notice from the chief executive about cancelling or amending the approval.	Section 34(3)(e) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, in conducting a recycling activity prescribed by regulation, to make a residue waste discounting application to the chief executive.	Section 44(1) <i>Waste Reduction and Recycling Act 2011</i>	Amended
Power, as the applicant for a residue waste discounting application, to provide further information or documents for the application if required by the chief executive.	Section 45 <i>Waste Reduction and Recycling Act 2011</i>	Amended
Power to agree with the chief executive about extending the time for providing further information or documents for a waste residue discounting application.	Section 45(2) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the holder of an approval of a discounted rate for the waste levy for residue waste, to request an amendment of the approval, and agree with the chief executive to the amendment of the approval.	Section 49 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the holder of an approval of a discounted rate for the waste levy for residue waste, to make submissions in response to a notice from the chief executive about cancelling or amending the approval.	Section 50(3)(e) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site, to receive and request delivery information for waste.	Section 53 <i>Waste Reduction and Recycling Act 2011</i>	Amended
Power, as the operator of a resource recovery and transfer facility, to receive and request delivery information for waste.	Section 54 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a levyable waste disposal site, to pay the chief executive the waste levy, including any interest.	Section 56 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site in the waste levy zone, to ensure a weighbridge is installed and operates at the site, is brought back into operation if out of operation, and give notice to the chief executive where the weighbridge is out of operation and brought back into operation, as required by sections 56 and 57. NOTE: an exemption may apply until 30 June 2029 pursuant to chapter 16, part 3, division 2.	Sections 56 and 57 <i>Waste Reduction and Recycling Act 2011</i>	Inserted

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## ATTACHMENT ONE

## SUMMARY OF CHANGES

### COUNCIL TO CEO DELEGATIONS

Description of Power Delegated	Legislation	Change
Power to measure and record waste as required by sections 59, 60 and 61. NOTE: an exemption may apply until 30 June 2029 pursuant to chapter 16, part 3, division 2.	Sections 59, 60 and 61 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site, to agree with the chief executive about an alternative way to measure and record the waste.	Section 60(3) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site and where the chief executive has given Council a notice under section 63(2), to install, maintain and operate a monitoring system as required by the notice, and comply with sections 64, 65 and 66.	Sections 63, 64, 65 and 66 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a levyable waste disposal site, to carry out volumetric surveys, ensure volumetric surveys are carried out, and give the chief executive copies of the results of the volumetric surveys as required by sections 67, 68 and 69.	Sections 67, 68 and 69 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a levyable waste disposal site, to give the chief executive a waste data return.	Section 72 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a levyable waste disposal site, to keep the documents stipulated in section 72A.	Section 72A <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a levyable waste disposal site, to apply to the chief executive to enter a waste levy instalment agreement, and enter the agreement.	Section 72C <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an amendment of a waste levy instalment agreement, and enter the amendment agreement.	Section 72D <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an extension of time to pay a waste levy amount.	Section 72G <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an extension of time to submit a waste data return and pay a waste levy amount.	Section 72H <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a levyable waste disposal site where the chief executive has decided an estimated waste levy amount under section 72J, to adjust the waste levy amount payable if a different amount is decided under a review of the chief executive's decision on the estimated waste levy amount.	Section 72J(3)(c) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator or former operator of a waste disposal site who is eligible for a bad debt credit, to apply to the chief executive for relief.	Section 72L <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power to respond to a notice from the chief executive requiring further reasonable information or documents about the application for a bad debt credit.	Section 72M(1) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power to agree with the chief executive about extending the time for providing the further information or documents.	Section 72M(2) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site, to declare an area within the site as a resource recovery area by giving the chief executive notice of a proposed resource recovery area.	Sections 72R and 72S <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site with a resource recovery area, to amend the declaration as a resource recovery area by giving the chief executive notice of the proposed amendment.	Section 72U <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site with a resource recovery area, to cancel the declaration as a resource recovery area by giving the chief executive notice of the proposed cancellation.	Section 72V <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site with a resource recovery area and where the chief executive proposes to revoke the	Section 72W <i>Waste Reduction and Recycling Act 2011</i>	Inserted

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## ATTACHMENT ONE

## SUMMARY OF CHANGES COUNCIL TO CEO DELEGATIONS

Description of Power Delegated	Legislation	Change
declaration, to make submissions to the chief executive to show why the declaration should not be revoked.		
Power, as the operator of a waste disposal site with a resource recovery area, to keep the documents and results stipulated in section 72X.	Section 72X <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a resource recovery area at a waste disposal site in the waste levy zone, to carry out volumetric surveys, ensure volumetric surveys are carried out and give the chief executive a copy of the results of the volumetric survey as required by section 72Y. **NOTE: section 72Y only applies from 01 June 2020.	Section 72Y <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a resource recovery area at a waste disposal site not in the waste levy zone, to carry out volumetric surveys, ensure volumetric surveys are carried out and give the chief executive a copy of the results of the volumetric survey as required by section 72Z.	Section 72Z <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site that has declared, or claims to have declared, a resource recovery area under section 72S, to ensure that the resource recovery area complies with section 73A(2).	Section 73A <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the physical barrier or points of access for the resource recovery area that does not change the boundaries of the area, to amend the plan of the waste disposal site, and give the chief executive notice and a copy of the amended plan.	Section 73C(2) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the recycling activities, to advise the chief executive of the change.	Section 73C(3) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the entity having responsibility for the operation of the resource recovery area, to advise the chief executive of the change.	Section 73C(4) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as a local government affected by the waste levy, to receive an annual payment from the chief executive and use that payment to mitigate any direct impacts of the waste levy on households in Council's local government area.	Sections 73D(1) and (2) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as a local government affected by the waste levy that receives an annual payment from the chief executive, to include a statement on rate notices that informs the ratepayer of the amount paid to the local government and the purpose of the payment.	Section 73D(4) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as an operator of a levyable waste disposable site, to apply to the chief executive for an exemption during the transition period from the requirements of section 57.	Sections 317(2) <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as an operator of a levyable waste disposable site in the waste levy zone, to carry out a volumetric survey, ensure a volumetric survey is carried out, give a copy of the results of the volumetric survey to the chief executive, and keep a copy of the results as required by section 323.	Sections 323 <i>Waste Reduction and Recycling Act 2011</i>	Inserted
Power, as an entity having responsibility for the operation of a resource recovery area for a waste disposal site in the waste levy zone, to carry out a volumetric survey, ensure a volumetric survey is carried out, give a copy of the results of the volumetric survey to the chief executive, and keep a copy of the results as required by section 324.	Sections 324 <i>Waste Reduction and Recycling Act 2011</i>	Inserted

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## ATTACHMENT ONE

## SUMMARY OF CHANGES COUNCIL TO CEO DELEGATIONS

Description of Power Delegated	Legislation	Change
Power, as an operator of a small site, to give the chief executive written notice of a proposed alternative methodology for measuring and recording waste at the site and implement that alternative methodology. NOTE: this section only applies until 30 June 2021.	Sections 325 <i>Waste Reduction and Recycling Act 2011</i>	Inserted

**Workers Compensation and Rehabilitation Act 2003**

Description of Power Delegated	Legislation	Change
Power, as an employer who is not a self-insurer, and who is or is required to have accident insurance, to pay the weekly payment of compensation payable to an injured worker during the excess period	Section 66(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>	Amended
Power, as an employer, to pay a worker an amount, either in compensation or instead of compensation, in the circumstances provided for in subsection 109(5).	Section 109(5) <i>Workers' Compensation and Rehabilitation Act 2003</i>	Inserted
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 and give the report to the insurer.	Section 133 <i>Workers' Compensation and Rehabilitation Act 2003</i>	Amended
Powers, as an employer other than a self-insurer, to give WorkCover the insurer 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 as a self-insurer or WorkCover under the Act for an injury sustained by the worker.	Section 133A <i>Workers' Compensation and Rehabilitation Act 2003</i>	Amended
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(1) <i>Workers' Compensation and Rehabilitation Act 2003</i>	Amended
Power, as an employer, to give the insurer the prescribed details of a person appointed as a Rehabilitation and Return to Work Coordinator and details of any change to the prescribed details.	Sections 226(4) and 226(5) <i>Workers' Compensation and Rehabilitation Act 2003</i>	Inserted

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Aboriginal Cultural Heritage Act 2003

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	09/11/2018
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	Reprint no changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Aboriginal Cultural Heritage Act 2003</i>	
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 <i>Aboriginal Cultural Heritage Act 2003</i>	
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 <i>Aboriginal Cultural Heritage Act 2003</i>	
Power to consult with the Minister about cultural heritage duty of care guidelines.	Section 28(2) <i>Aboriginal Cultural Heritage Act 2003</i>	
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 <i>Aboriginal Cultural Heritage Act 2003</i>	
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 <i>Aboriginal Cultural Heritage Act 2003</i>	
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 <i>Aboriginal Cultural Heritage Act 2003</i>	
Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for carrying out cultural heritage studies.	Section 54(2) <i>Aboriginal Cultural Heritage Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Aboriginal Cultural Heritage Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Aboriginal Cultural Heritage Act 2003</i>	
Power to consult with the chief executive about a cultural heritage study.	Section 72(1)(c) <i>Aboriginal Cultural Heritage Act 2003</i>	
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 <i>Aboriginal Cultural Heritage Act 2003</i>	
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 <i>Aboriginal Cultural Heritage Act 2003</i>	
Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for developing cultural heritage management plans.	Section 85(1) <i>Aboriginal Cultural Heritage Act 2003</i>	
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 <i>Aboriginal Cultural Heritage Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Acquisition of Land Act 1967

Document Reviewed:	24/02/2020
Reprint	20/08/2020
Updated:	
New:	
Removed:	
Note:	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power as an entity taking the resource interest to give the relevant chief executive for the resource interest written notice.	Section 4B(2) <i>Acquisition of Land Act 1967</i>	
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 <i>Acquisition of Land Act 1967</i>	
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 <i>Acquisition of Land Act 1967</i>	
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 <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
Power to agree with the Claimant on the amount of compensation payable.	Section 12(5A) <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
Power to lodge with the registrar of titles a plan of survey showing a new boundary for a lot or common property.	Section 12A <i>Acquisition of Land Act 1967</i>	
Power to dedicate land taken under the Act as a road.	Section 12B <i>Acquisition of Land Act 1967</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Acquisition of Land Act 1967

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to take additional land.	Sections 13(1) and (1A) <i>Acquisition of Land Act 1967</i>	
Power to take additional land.	Sections 13(2) and (2A) <i>Acquisition of Land Act 1967</i>	
Power to sell or otherwise deal with additional land taken.	Section 13 (3) <i>Acquisition of Land Act 1967</i>	
Power to take land pursuant to a resumption agreement and to take all steps necessary to prepare and enter the resumption agreement.	Section 15B <i>Acquisition of Land Act 1967</i>	
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 <i>Acquisition of Land Act 1967</i>	
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 <i>Acquisition of Land Act 1967</i>	
Power to serve a notice of discontinuance of a resumption.	Section 16(1) <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
Power to have the amount of compensation payable under subsection (1A) taxed by an officer of the Supreme Court.	Section 16(1C) <i>Acquisition of Land Act 1967</i>	
Power as a gazetting authority to, by gazette notice, revoke a gazette resumption notice.	Section 17(1) <i>Acquisition of Land Act 1967</i>	
Power to agree in writing with the person entitled as owner to compensation in respect of the taking of the land, to the re-vesting of the land or part of it to which a gazette resumption notice relates.	Section 17(1A) <i>Acquisition of Land Act 1967</i>	
Power to lodge a gazette copy of the revoking gazette notice with the land registry.	Section 17(2)(c) <i>Acquisition of Land Act 1967</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Acquisition of Land Act 1967

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Acquisition of Land Act 1967</i>	
Power to refer the determination of the amount of compensation to be paid under subsection (4) to the Land Court.	Section 17(5) <i>Acquisition of Land Act 1967</i>	
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 <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
Power to make an advance on compensation to the Claimant.	Section 23(2) <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
Power to reduce the advance by the sum due to the mortgagee.	Section 23(6) <i>Acquisition of Land Act 1967</i>	
Power to pay to Council, the Crown or a mortgagee any amount by which the advance has been reduced.	Section 23(7) <i>Acquisition of Land Act 1967</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Acquisition of Land Act 1967

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to refer a claim for compensation to the Land Court.	Section 24(1) <i>Acquisition of Land Act 1967</i>	
Power to apply to the Land Court for further or other particulars of a claim for compensation.	Section 24(4) <i>Acquisition of Land Act 1967</i>	
Power to apply to the Land Court for the Claimant to enter an appearance on the reference.	Section 25(1) <i>Acquisition of Land Act 1967</i>	
Power to pay the amount of compensation agreed upon or determined into the Supreme Court.	Sections 29 & 30 <i>Acquisition of Land Act 1967</i>	
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 <i>Acquisition of Land Act 1967</i>	
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 <i>Acquisition of Land Act 1967</i>	
Power to authorise a person to exercise the powers in section 36(1) on Council's behalf.	Section 36(1) <i>Acquisition of Land Act 1967</i>	
Power to give 7 days notice in writing of the intention to enter the land.	Section 36(3) <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
Power to give notice to the occupier or owner of the intention to temporarily occupy and use the land.	Section 37(2) <i>Acquisition of Land Act 1967</i>	
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) <i>Acquisition of Land Act 1967</i>	
Power to issue a warrant to the sheriff to deliver up possession of the land taken or occupied under the Act.	Section 38(1) <i>Acquisition of Land Act 1967</i>	

As at April 2021

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Acquisition of Land Act 1967**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to offer for sale land taken under the Act to the former owner of the land.	Section 41(1) <i>Acquisition of Land Act 1967</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Aged Care Act 1997

<b>Document Reviewed:</b>	24/06/2020
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<b>Amended:</b>	
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<b>Omitted:</b>	
<b>Note:</b>	New Reprint, No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to notify of any change in the information notified under subsection (1).	Section 9-1A(4) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to notify the Quality and Safety Commissioner of a change of circumstances that materially affects the approved provider's suitability to be a provider of aged care.	Section 9-1(1) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to comply with a request from the Quality and Safety Commissioner for information relevant to the approved provider's suitability to be a provider of aged care.	Section 9-2(2) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to give the Secretary information relating to payments.	Section 9-3(2) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to give the Secretary or Quality and Safety Commissioner information specified in subsection (1) following receipt of a written request from the Secretary or Quality and Safety Commissioner.	Section 9-3A(2) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to comply with a request in writing from the Secretary or Quality and Safety Commissioner for information specified in subsection (2).	Section 9-3B(4) <i>Aged Care Act 1997 (Cth)</i>	
Power to apply for an allocation of places and pay the application fee.	Sections 13-1 and 13-3 <i>Aged Care Act 1997 (Cth)</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to reply to a request for further information from the Secretary.	Section 13-4(2) <i>Aged Care Act 1997 (Cth)</i>	
Power to apply for a determination under section 15-1 before the end of the provisional allocation period.	Section 15-3(1) <i>Aged Care Act 1997 (Cth)</i>	
Power to respond to a notice from the Secretary.	Section 15-4(3)(b) <i>Aged Care Act 1997 (Cth)</i>	
Power to apply to the Secretary for a variation of a provisional allocation.	Section 15-5 <i>Aged Care Act 1997 (Cth)</i>	
Power to surrender a provisional allocation by notice in writing to the Secretary.	Section 15-6 <i>Aged Care Act 1997 (Cth)</i>	
Power to apply to the Secretary for an extension of the provisional allocation period.	Section 15-7(4) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to give the Secretary a transfer notice.	Section 16-2 <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as a transferor or a transferee, to give the Secretary written notice of the changes.	Section 16-2(8) <i>Aged Care Act 1997 (Cth)</i>	
Power to make submissions in response to a notice to resolve.	Section 16-4(2)(e) <i>Aged Care Act 1997 (Cth)</i>	
Power to agree in writing to another proposed transfer day.	Section 16-5(3) <i>Aged Care Act 1997 (Cth)</i>	
Power, as a transferor, to give to the transferee the records prescribed in subsections (1) and (2).	Section 16-11 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider to whom a place has been provisionally allocated, to give the Secretary a transfer notice.	Section 16-13 <i>Aged Care Act 1997 (Cth)</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as a transferor or a transferee, to give the Secretary written notice of the changes.	Section 16-13(8) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as a transferor or a transferee, to agree in writing to another proposed transfer day.	Section 16-16(3)(a) <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
Power to respond to a request for further information issued by the Secretary.	Section 17-3(1) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an applicant, to apply in writing to the Secretary to approve a day as the variation day.	Section 17-7(2) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to relinquish all or some of the places by notice in writing to the Secretary.	Section 18-2(1) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to give notice of the relinquishment.	Section 18-2(4) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to modify the proposals as specified in the notice issued by the Secretary.	Section 18-3(4) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to apply to the Secretary for the lifting of a suspension from making appraisals and reappraisals.	Section 25-C <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to respond to a notice from the Secretary requiring the applicant to give further information.	Section 25-4D <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to apply to the Secretary to vary or revoke a notice give under subsection (1) or (3A).	Section 27-3(4) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to conduct a reappraisal on its own initiative.	Section 27-4 <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to agree with the Secretary to vary the conditions applying to the extra service status.	Section 32-8(6) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to request in writing that the Secretary revoke or suspend the extra service status.	Section 33-4 <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an approved provider, to vary the claim made in respect of a payment period.	Section 43-4A <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider providing home care services, to comply with a request to suspend the service.	Section 46-2(2) <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to vary the claim made in respect of a payment period.	Section 47-4A <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to enter an accommodation agreement with a person.	Sections 52F-2 to 52F-6 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to apply to the Aged Care Pricing Commission for approval to charge an accommodation payment that is higher than the maximum amount of accommodation payment determined by the Minister under section 52G-3 for:- (a) a residential care service or flexible care service; or (b) a distinct part of such a service, and to respond to any requests for further information made by the Aged Care Pricing Commissioner.	Section 52G-4 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to retain income derived from a refundable deposit.	Section 52J-6 <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an approved provider, to deduct an amount from a refundable deposit in the circumstances specified in subsection (2).	Section 52J-7(2) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to comply with the requirements of the Prudential Standards.	Section 52M-1(1) <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to refund a refundable deposit balance in the way specified in the Fees and Payments Principles.	Section 52P-1 <i>Aged Care Act 1997 (Cth)</i>	
Power, as a former approved provider, to refund the refundable deposit balance to the care recipient.	Section 52P-2(2) <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to comply with the responsibilities of approved providers.	Section 54-1 <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to: <ul style="list-style-type: none"> <li>(a) establish a complaints resolution mechanism for the aged care service; and</li> <li>(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</li> <li>(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</li> <li>(e) comply with any requirement made of the approved provider under rules made for the purposes of subsection 21(2) of the <i>Aged Care Quality and Safety Commission Act 2018</i>.</li> </ul>	Section 56-4(1) <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
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 set out in subsections 63-1(1)(a) to 63-1(1)(m).	Section 63-1 <i>Aged Care Act 1997 (Cth)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an approved provider, to report an allegation or suspicion of a reportable assault.	Section 63-1AA(2) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to take all reasonable steps specified in the Accountability Principles to ensure that none of its key personnel is a disqualified individual.	Section 63-1A(2) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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 in the notice given under subsection 63E(1) of the Quality and Safety Commission Act.	Section 63-1C <i>Aged Care Act 1997 (Cth)</i>	
Power to apply in writing for the allocation of a residential care grant.	Section 71-1 <i>Aged Care Act 1997 (Cth)</i>	
Power to comply with a notice requesting further information received from the Secretary.	Section 71-3(1) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Aged Care Act 1997

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an approved provider, to comply with the grant conditions.	Section 73-3 <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to comply with a notice requesting further information received from the Secretary.	Section 73-5(4) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power, as person whose interests are affected by a reviewable decision, to request the Secretary to reconsider the decision.	Section 85-5(1) <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	
Power to pay the application fee for reconsideration of a reviewable decision made under subsection 29-1(1).	Section 85-6(1) <i>Aged Care Act 1997 (Cth)</i>	
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 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to keep the records referred to in section 88-1.	Section 88-1 <i>Aged Care Act 1997 (Cth)</i>	
Power, as an approved provider, to keep records of the kind and in the form specified in the Records Principles.	Section 88-2 <i>Aged Care Act 1997 (Cth)</i>	
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) <i>Aged Care Act 1997 (Cth)</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Aged Care Act 1997**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a person who has made an application to the Secretary under the Act, to withdraw the application.	Section 96-7 <i>Aged Care Act 1997 (Cth)</i>	

As at April 2021

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Animal Care and Protection Act 2001

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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the occupier of a place, to consent to entry of the place by an inspector.	Sections 122(1)(a) <i>Animal Care and Protection Act 2001</i>	
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) <i>Animal Care and Protection Act 2001</i>	
Power, in the specified circumstances, to deal with an animal or other thing as considered appropriate.	Section 157 <i>Animal Care and Protection Act 2001</i>	
Power, in the specified circumstances, to recover the cost from the animal's owner or former owner.	Section 189 <i>Animal Care and Protection Act 2001</i>	
Power, in the specified circumstances, to agree in writing to the transfer of the ownership of an animal to Council.	Section 214A(2) <i>Animal Care and Protection Act 2001</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Animal Care and Protection Regulation 2012

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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to comply with the requirements of schedule 3A – Code of practice for breeding of dogs.	<i>Section 2(2), Animal Care and Protection Regulation 2012</i>	
Power as a person in charge of a breeding dog usually kept at premises to ensure:- (a) the relevant information for the dog is recorded in writing; and (b) the records of the relevant information is kept for 3 years after the later of when the dog is last used for breeding or the dog is no longer kept for breeding.	<i>Section 5A, Animal Care and Protection Regulation 2012</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Animal Management (Cats and Dogs) Act 2008

<b>Document Reviewed:</b>	24/02/2020
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<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give identifying information to particular persons.	Section 39 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to recognise a body supervising an exhibition in which a cat or dog is participating.	Section 42(4) <i>Animal Management (Cats and Dogs) Act 2008</i>	
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. <b>## Note:</b> this section only applies to local governments who have been declared to be an approved entity under section 43W.	Section 43B <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power, as an approved entity, to give an accreditation number to an accredited breeder. <b>## Note:</b> this section only applies to local governments who have been declared to be an approved entity under section 43W.	Section 43C <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to give registration notice.	Section 49(2) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to keep registration form and information.	Section 51 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to fix the fee for the registration of a dog.	Section 52 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to recognise a body supervising an exhibition or an obedience trial in which a dog is participating.	Section 64(1) <i>Animal Management (Cats and Dogs) Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Animal Management (Cats and Dogs) Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to require applicant to give a stated document or information that is relevant to a permit application.	Section 74(1) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to grant or refuse a permit application within a certain time.	Section 75(1) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to decide whether desexing is likely to be a serious risk to the health of a dog.	Section 75(3) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to impose conditions on the grant of an application for a restricted dog permit.	Section 75(5) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to issue a restricted dog permit.	Section 77 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to issue a decision notice after deciding to refuse a permit application.	Section 79 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to grant or refuse a renewal application within a certain time.	Section 84(1) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to seek further information in deciding an application for a renewal application.	Section 84(4)(b) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to: <ul style="list-style-type: none"> <li>if the application is granted, issue a renewed permit; or</li> <li>if the application is refused, issue a decision notice.</li> </ul>	Section 84(5) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to amend a restricted dog permit at any time.	Section 87 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to make:- <ul style="list-style-type: none"> <li>(a) a dangerous dog declaration;</li> <li>(b) a menacing dog declaration;</li> <li>(c) a restricted dog declaration.</li> </ul>	Section 89(1) <i>Animal Management (Cats and Dogs) Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Animal Management (Cats and Dogs) Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to determine whether a dog is of a breed mentioned in section 63(1).	Section 89(4) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to give a dog owner a proposed declaration notice regarding a dog.	Section 90 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to withdraw a proposed declaration notice regarding a dog.	Section 92 <i>Animal Management (Cats and Dogs) Act 2008</i>	
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 <i>Animal Management (Cats and Dogs) Act 2008</i>	
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 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to destroy a surrendered regulated dog.	Section 100 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to recover reasonable seizure or destruction costs.	Section 102 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to give notice of a proposed inspection program.	Section 114 <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to include other information considered appropriate in the general register.	Section 178(e) <i>Animal Management (Cats and Dogs) Act 2008</i>	
Power to authorise an employee to verify a copy of a document.	Section 198(1) <i>Animal Management (Cats and Dogs) Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Animal Management (Cats and Dogs) Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Animal Management (Cats and Dogs) Act 2008</i>	
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) <i>Animal Management (Cats and Dogs) Act 2008</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO *Biosecurity Act 2014*

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New:	
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Note:	New Reprint. No changes.

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, in a circumstance listed in subsection (1), to advise an inspector of the presence of the biosecurity matter.	Section 36(2) <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	
Power to carry out the main function of a local government under the Act.	Section 48 <i>Biosecurity Act 2014</i>	
Power to consult with the Minister.	Section 50(3) <i>Biosecurity Act 2014</i>	
Power to comply with a notice issued by the Minister pursuant to subsection (4).	Section 50(5) <i>Biosecurity Act 2014</i>	
Power to agree with the chief executive that Council cannot achieve substantial compliance with the notice.	Section 51(2) <i>Biosecurity Act 2014</i>	
Power to comply with a request from the Minister for a written report made pursuant to subsection (1).	Section 52(2) <i>Biosecurity Act 2014</i>	
Power to prepare and approve a biosecurity plan for invasive biosecurity matter for Council's area.	Section 53 <i>Biosecurity Act 2014</i>	
Power to keep a copy of the biosecurity plan available for inspection.	Section 54 <i>Biosecurity Act 2014</i>	
Power to consult with the chief executive about the suitability and priority of the activities.	Section 59 <i>Biosecurity Act 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Biosecurity Act 2014

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to pay the amount required by a notice issued by the Minister pursuant to this section.	Section 60(5) <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	
Power, as a building authority for a barrier fence, to undertake the activities set out in subsections (a) and (b).	Section 93 <i>Biosecurity Act 2014</i>	
Power, as a building authority for a barrier fence, to enter a place in the circumstances set out in subsection (1).	Section 94 <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
Power, as a building authority for a barrier fence part, to give directions to a barrier fence employee.	Section 101(2) <i>Biosecurity Act 2014</i>	
Power, as a relevant entity, to consult with the chief executive about a proposed making of a code of practice.	Section 105 <i>Biosecurity Act 2014</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Biosecurity Act 2014

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make written submissions on a proposed guideline.	Section 107 <i>Biosecurity Act 2014</i>	
Power to apply to an inspector for a biosecurity emergency order permit.	Section 121 <i>Biosecurity Act 2014</i>	
Power to apply to an inspector for a biosecurity instrument permit.	Section 132 <i>Biosecurity Act 2014</i>	
Power as a registrable biosecurity entity to apply for registration.	Sections 145 and 147 <i>Biosecurity Act 2014</i>	
Power as a registrable biosecurity entity to apply for a registration exemption.	Section 146 <i>Biosecurity Act 2014</i>	
Power to make written submissions in response to a notice from the chief executive.	Section 150(3)(b) <i>Biosecurity Act 2014</i>	
Power, in the circumstances referred to in subsection (1) to apply for deregistration as a biosecurity entity.	Section 152 <i>Biosecurity Act 2014</i>	
Power to comply with a requirement of the chief executive made under subsection (2) or (3).	Section 156(2) <i>Biosecurity Act 2014</i>	
Power as a registered biosecurity entity, owner or occupier to give the chief executive a biosecurity risk notice.	Section 160(2) <i>Biosecurity Act 2014</i>	
Power to apply to the chief executive for the removal of the entry for a restricted place from the biosecurity register.	Section 164 <i>Biosecurity Act 2014</i>	
Power to apply to the chief executive for the end of a declaration of a designated animal as a restricted animal.	Section 164A <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Biosecurity Act 2014

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give the chief executive further information or a document about the application.	Section 165 <i>Biosecurity Act 2014</i>	
Power as a registered biosecurity entity to give the chief executive a change notice.	Section 170(2) <i>Biosecurity Act 2014</i>	
Power to apply to the chief executive for a travel approval for the movement of a special designated animal.	Section 181 <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
Power, as a receiver of a special designated animal at a place, to take the action referred to in subsection (2).	Section 190 <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	
Power, to comply with all reasonable directions the inspector gives.	Section 193(3) <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO *Biosecurity Act 2014*

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
Power to comply with a direction of the chief executive issued pursuant to subsection (2).	Section 229 <i>Biosecurity Act 2014</i>	
Power to apply for the transfer of a prohibited matter permit or a restricted matter permit.	Section 230 <i>Biosecurity Act 2014</i>	
Power to consult with an interested entity about a proposed biosecurity program.	Section 235(3)(d) <i>Biosecurity Act 2014</i>	
Power to consult with the chief executive about a proposed biosecurity program.	Section 239(1) <i>Biosecurity Act 2014</i>	
Power to consult with the chief executive and an invasive animal board before authorising a biosecurity program.	Section 239(2) <i>Biosecurity Act 2014</i>	
Power to make copies of a biosecurity program authorisation available for inspection and purchase at Council's public office.	Section 241 <i>Biosecurity Act 2014</i>	
Power as an occupier of a place to sign an acknowledgement of consent to enter the place.	Section 268(1) <i>Biosecurity Act 2014</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Biosecurity Act 2014

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power as an occupier of a place to consent to entry by an authorised officer.	Section 269(2) <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
Power, as the issuing authority, after receiving an internal review application to conduct an internal review and make a decision.	Section 365 <i>Biosecurity Act 2014</i>	
Power, as the issuing authority, to give notice of an internal review decision.	Section 366 <i>Biosecurity Act 2014</i>	
Power, as the issuing authority, to make a new decision following the receipt of directions from the court.	Section 372(1) <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	
Power, as the issuing authority for a biosecurity order, to give notice of the amount of the debt.	Section 380(2) <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
Power, as a third party, to appear at the hearing of an application for a cost recovery order.	Section 383 <i>Biosecurity Act 2014</i>	
Power to enter into a government and industry agreement with the Minister or the chief executive.	Section 391 <i>Biosecurity Act 2014</i>	
Power to enter into a compliance agreement with the chief executive.	Section 393 <i>Biosecurity Act 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO *Biosecurity Act 2014*

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the chief executive to enter into a compliance agreement with the State.	Section 396 <i>Biosecurity Act 2014</i>	
Power to give the chief executive further information or a document required to decide the application.	Section 399(1)(b) <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
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 <i>Biosecurity Act 2014</i>	
Power, as the holder for a relevant authority, to make written representations about the show cause notice to the chief executive.	Section 485 <i>Biosecurity Act 2014</i>	
Power, as the holder for a relevant authority, to ask the chief executive to cancel the authority.	Section 490 <i>Biosecurity Act 2014</i>	
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) <i>Biosecurity Act 2014</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Biosecurity Regulation 2016

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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a registered biosecurity entity for a designated place, to make a biosecurity management plan.	Section 94G(1) <i>Biosecurity Regulation 2016</i>	
Power, as an entity mentioned in subsection (1), to:- (a) keep the plan as a separate document at the place; and (b) make the plan available for inspection at the place, on request, during ordinary business hours; and (c) ensure a sign is conspicuously displayed at each management area for the plan stating that:- (i) a biosecurity management plan applies to the place; and (ii) it is an offence for a person entering, present at, or leaving the management area to fail to comply with the measures stated in the plan unless the person has a reasonable excuse.	Section 94G(4) <i>Biosecurity Regulation 2016</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Body Corporate and Community Management (Commercial Module) Regulation 2008

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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Body Corporate and Community Management (Accommodation Module) Regulation 2008.</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Body Corporate and Community Management (Commercial Module) Regulation 2008

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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Body Corporate and Community Management (Commercial Module) Regulation 2008.</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Body Corporate and Community Management (Small Schemes Module) Regulation 2008.</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Body Corporate and Community Management (Specified Two Lot Schemes Module) Regulation 2011

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<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 33(4)(b) <i>Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011.</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Body Corporate and Community Management Act 1997

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<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Body Corporate and Community Management (Standard Module) Regulation 2008.</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Body Corporate and Community Management Act 1997

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<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a relevant planning authority, to endorse a community management statement notation on a proposed community management statement.	Section 60(3) <i>Body Corporate and Community Management Act 1997</i> .	
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) <i>Body Corporate and Community Management Act 1997</i>	
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 <i>Body Corporate and Community Management Act 1997</i>	
Power to enter the common property if necessary to exercise a power conferred under an Act.	Section 316(1) <i>Body Corporate and Community Management Act 1997</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Act 1975

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/10/2020
<b>Updated:</b>	228(2), 231AL
<b>New:</b>	68A(2), 124A(2), 143B(2), 190(1), 228(4)
<b>Removed:</b>	
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Building Act 1975</i>	
Power, as an assessment manager, to consult with the chief executive about the variation application.	Section 41(1) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
Power, under the Planning Act to receive, assess and decide a building development application.	Section 51(2)(a) <i>Building Act 1975</i>	
Power to appoint or employ a private certifier or another building certifier.	Section 51(2)(b) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
Power to issue a building development approval.	Section 52 <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Act 1975

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as assessment manager, in relation to undecided building development applications and lapsed building development approvals, to resume or start the development assessment process under the Planning Act at any stage the assessment manager considers appropriate.	Section 55 <i>Building Act 1975</i>	
Power, as the holder of a registered easement or statutory covenant, to consent to building work.	Section 65 <i>Building Act 1975</i>	
Power, as assessment manager, to prepare a written statement of reasons.	Section 68A(2) <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
Power to give a private certifier a document acknowledging receipt of the fee mentioned in subsection 86(1)(c).	Section 87 <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
Power, as the assessment manager, to give a reminder notice about the lapsing.	Section 95 <i>Building Act 1975</i>	
Power to consult with a private certifier with regard to further extensions of the period under the Planning Act, s 85(1) (currency period).	Section 97(2) <i>Building Act 1975</i>	
Power, as the assessment manager, to take enforcement action against an owner contravening section 114 of the Act.	Section 117 <i>Building Act 1975</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Act 1975

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the owner of a building, to by notice ask for a copy of any inspection documentation for the inspection performed by the building certifier.	Section 124A(2) <i>Building Act 1975</i>	
Power, as the owner of a building, to give an additional certification notice.	Section 143B(2) <i>Building Act 1975</i>	
Power to make a complaint to QBCC about a building certifier.	Section 190(1) <i>Building Act 1975</i>	
Power to give a building certifier a notice ('show cause notice').	Section 206(1) <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
Power to notify the QBCC of its application to the Queensland Civil and Administrative Tribunal.	Section 210 <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
Power to decide the application and give the owner an information notice about the decision.	Section 221(4) <i>Building Act 1975</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Act 1975

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Building Act 1975</i>	
Power to inspect budget accommodation buildings at least once every 3 years.	Section 228(2) <i>Building Act 1975</i>	
Power to keep the records referred to in subsections 228(4)(a) to (c).	Section 228(4) <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
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 occupancy 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 <i>Building Act 1975</i>	
Power to require the applicant to give medical evidence to support the application.	Section 236 <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
Power to give notice of Council's decision (including an information notice about the decision).	Section 238 <i>Building Act 1975</i>	
Power to give notice of each exemption granted under Chapter 8, Part 2, Division 3 to the QBCC commissioner.	Section 239 <i>Building Act 1975</i>	
Power to give an applicant a show cause notice.	Section 242(2) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Act 1975

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give to the QBCC commissioner notice of each revocation notice given.	Section 243 <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
Power to give written notice of the grant of an exemption.	Section 245C(1) <i>Building Act 1975</i>	
Power to give an information notice.	Section 245C(2) <i>Building Act 1975</i>	
Power to give the owner of the regulated pool a show cause notice.	Section 245E(2) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
Power to give the QBCC commissioner the notices required by sections 245F(1) and 245F(2).	Section 245F <i>Building Act 1975</i>	
Power to keep a copy of each exemption available for inspection and purchase as if it were a document that, under the Planning Act, must be available for inspection and purchase.	Section 245FA(2) <i>Building Act 1975</i>	
Power, as owner of adjoining land, to agree with the pool owner as to the construction of a pool barrier along the common boundary.	Section 245XB(2) <i>Building Act 1975</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Act 1975

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Building Act 1975</i>	
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"> <li>alter or replace the part of the pool barrier with the agreement of the pool owner; or</li> <li>attach a thing on the part of the pool barrier that does not unreasonably or materially alter or damage the barrier.</li> </ul>	Section 245XF(2) and (3) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Act 1975

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
Power to cancel pool safety certificate for a regulated pool.	Section 246AF(2) <i>Building Act 1975</i>	
Power to give the QBCC commissioner notice of the cancellation of the pool safety certificate for a regulated pool.	Section 246AF(3) <i>Building Act 1975</i>	
Power to give a show cause notice before cancelling a pool safety certificate.	Section 246AG(1) <i>Building Act 1975</i>	
Power to consider submissions and decide whether to cancel a pool safety certificate.	Section 246AG(5) <i>Building Act 1975</i>	
Power to give the owner notice of the decision.	Section 246AG(6) <i>Building Act 1975</i>	
Power to give the owner an information notice about the decision.	Section 246AG(7) <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
Power to comply with a request for information from the QBCC commissioner.	Section 246AIB(2) <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	
Power to, by gazette notice, designate land as a transport noise corridor.	Section 246X <i>Building Act 1975</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Act 1975

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give a notice ('enforcement notice') to the owner of a building, structure or building work.	Section 248(1) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
Power to give a person a show cause notice.	Section 248(3) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
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) <i>Building Act 1975</i>	
Power, as local government, to authorise a person to make a complaint for an offence against chapter 8, part 5 of the <i>Building Act 1975</i> .	Section 256(2)(i) <i>Building Act 1975</i>	
Power, as local government, to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i> .	Section 256(2)(k) <i>Building Act 1975</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**  
**Building Act 1975**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Building Act 1975</i>	
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 <i>Building Act 1975</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Regulation 2006

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	18/12/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, if it is not practicable to show each of the designated bush fire prone areas in Council's planning scheme maps, to:- (a) prepare maps showing the areas; and (b) ensure the maps are updated.	Section 12(4) <i>Building Regulation 2006</i>	
Power to keep a register of the flood hazard areas Council designates and when each designation was made.	Section 13(4) <i>Building Regulation 2006</i>	
Power as an owner to:- (a) register, by using the online system, the owner's name and the address of the owner's private building; and (b) give a copy of a completed combustible cladding checklist (part 1) for the building to the QBCC by using the online system.  <i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i>	Section 16Q(1) <i>Building Regulation 2006</i>	
Power as an owner to apply to the QBCC commissioner to extend the time for complying with subsection (1).  <i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i>	Section 16Q(2) <i>Building Regulation 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Regulation 2006

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power as an owner to keep the completed combustible cladding checklist for the owner's private building in the way provided in subsections (a) and (b).</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16R <i>Building Regulation 2006</i>	
<p>Power, as an owner who knows or suspects that the building is an affected private building, to give the QBCC notice of that knowledge or suspicion.</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16S(2)(b) <i>Building Regulation 2006</i>	
<p>Power, as an owner to which section 16S applies, to give to the QBCC:-</p> <ul style="list-style-type: none"> <li>(a) a completed combustible cladding checklist (part 2) for the owner's private building; and</li> <li>(b) a building industry professional statement.</li> </ul> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16T(1) <i>Building Regulation 2006</i>	
<p>Power, as an owner to which section 16S applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1).</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16T(3) <i>Building Regulation 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Regulation 2006

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power, as an owner to which section 16S applies, to keep the completed combustible cladding checklist (part 2) and a building industry professional statement for the owner's private building in the way provided in subsections (a) and (b).</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16U <i>Building Regulation 2006</i>	
<p>Power, as an owner to which section 16V applies, to give to the QBCC, the name and registration number of the fire engineer engaged by the owner for complying with part 4A, division 2, subdivision 3.</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16W(1) <i>Building Regulation 2006</i>	
<p>Power, as an owner to which section 16V applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1).</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16W(2) <i>Building Regulation 2006</i>	
<p>Power, as an owner to which section 16V applies, to give to the QBCC a copy of each of the following documents for the owner's private building:-</p> <ul style="list-style-type: none"> <li>(a) a completed combustible cladding checklist (part 3);</li> <li>(b) a building fire safety risk assessment; and</li> <li>(c) a fire engineer statement.</li> </ul> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16X(1) <i>Building Regulation 2006</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Regulation 2006

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power, as an owner to which section 16V applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1).</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16X(4) <i>Building Regulation 2006</i>	
<p>Power, as an owner to which section 16V applies, to keep the documents listed in subsection (1) for the owner's private building for the period provided in subsections (2) and/or (3).</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16Y <i>Building Regulation 2006</i>	
<p>Power, as an owner to which subsection 16Z applies, to display an affected private building notice in compliance with subsections (2) and (3).</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16ZA(1) <i>Building Regulation 2006</i>	
<p>Power, as an owner to which subsection 16Z applies, to give the QBCC, in the approved way, a compliance notice.</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Sections 16ZA(4) and (5) <i>Building Regulation 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

#### Building Regulation 2006

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power, as an owner to which subsection 16Z applies of a building that comprises two or more lots, to, if there is a body corporate roll kept for the building, give a copy of the building fire safety risk assessment to each lot owner, and each leasehold interest holder, for a lot in the building.</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16ZB(2) <i>Building Regulation 2006</i>	
<p>Power, as an owner to which subsection 16Z applies of a building that comprises two or more lots, to, if there is not a body corporate roll kept for the building, leave a copy of the building fire safety risk assessment at, or post a copy of the building fire safety risk assessment to, the address of each lot in the building.</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16ZB(3) <i>Building Regulation 2006</i>	
<p>Power, as an original owner, in the circumstance set out in subsection (1), to, before the ownership changes, give the new owner:-</p> <ul style="list-style-type: none"> <li>(a) a notice, in the approved form, about the extent to which the original owner has complied with part 4A; and</li> <li>(b) a copy of each document given by or to the original owner under this part.</li> </ul> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16ZD(2)(a) <i>Building Regulation 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Building Regulation 2006

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power, as an original owner, in the circumstance set out in subsection (1), to, before the ownership changes, give the QBCC a copy of the notice that is given to the new owner under subsection (2)(a)(i).</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16ZD(2)(b) <i>Building Regulation 2006</i>	
<p>Power, as an original owner, to give the document/s referred to in subsection (1)(a) to the new owner before ownership of the building changes.</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16ZF(3) <i>Building Regulation 2006</i>	
<p>Power, as an owner, to comply with a notice given by the QBCC.</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16ZM(2) <i>Building Regulation 2006</i>	
<p>Power, as an owner of the building, to apply to the QBCC commissioner to replace the original checklist.</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16ZQ(2) <i>Building Regulation 2006</i>	
<p>Power, as an owner of the building, comply with the notice given by the QBCC commissioner under subsections 16ZQ(3) or (4)</p> <p><i>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.</i></p>	Section 16ZQ(5) <i>Building Regulation 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Coastal Protection and Management Act 1995

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	11/04/2019
<b>Amended:</b>	123(5)
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make submissions to the Minister regarding a draft coastal plan.	Section 25(2)(d) <i>Coastal Protection and Management Act 1995</i>	
Power to make a copy of a draft coastal plan available for inspection by the public.	Section 25(5) <i>Coastal Protection and Management Act 1995</i>	
Power to comply with a request from the Chief Executive to carry out particular activities necessary to implement a coastal plan.	Section 34(2) <i>Coastal Protection and Management Act 1995</i>	
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 <i>Coastal Protection and Management Act 1995</i>	
Power to appeal against the chief executive's decision to give a coastal protection notice to Council.	Section 59(5) <i>Coastal Protection and Management Act 1995</i>	
Power to appeal against the chief executive's decision to give a tidal works notice to Council.	Section 60(7) <i>Coastal Protection and Management Act 1995</i>	
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	Section 68(5), (6) and (9) <i>Coastal Protection and Management Act 1995</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Coastal Protection and Management Act 1995

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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.		
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 <i>Coastal Protection and Management Act 1995</i>	
Power to make an application to the chief executive for an allocation of quarry material in tidal water.	Section 73 <i>Coastal Protection and Management Act 1995</i>	
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) <i>Coastal Protection and Management Act 1995</i>	
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) <i>Coastal Protection and Management Act 1995</i>	
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 <i>Coastal Protection and Management Act 1995</i>	
Power, as an allocation notice holder, to apply to the chief executive officer to renew the allocation notice.	Section 83 <i>Coastal Protection and Management Act 1995</i>	
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) <i>Coastal Protection and Management Act 1995</i>	
Power, as an allocation notice holder, to surrender the allocation.	Section 88 <i>Coastal Protection and</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Coastal Protection and Management Act 1995

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	<i>Management Act 1995</i>	
Power to endorse a plan of subdivision with Council's acceptance of trusteeship of the reserve.	Section 115B(5)(a) <i>Coastal Protection and Management Act 1995</i>	
Power to certify a plan of subdivision which shows an artificial waterway.	Section 119(2) <i>Coastal Protection and Management Act 1995</i> .	
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 <i>Coastal Protection and Management Act 1995</i> .	
<b>Power:-</b> (a) as an owner of freehold land; or (b) an occupier of land, other than freehold land, adjacent to State tidal land; or (c) as a public utility provider; or (d) as a trustee under any law or agreement, to occupy and use State tidal land to carry out tidal works in accordance with a development permit or to maintain and use infrastructure constructed as part of tidal works.	Section 123(5) <i>Coastal Protection and Management Act 1995</i>	
<b>Power:-</b> (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 <i>Coastal Protection and Management Act 1995</i>	
Power, as an owner or occupier of land, to allow an authorised person to enter the land.	Section 134(3)(a) <i>Coastal Protection and Management Act 1995</i>	
Power to claim compensation if Council incurs a loss or expense because of the exercise or purported exercise of	Section 136 <i>Coastal Protection and</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Coastal Protection and Management Act 1995

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
a power under chapter 3, part 2, division 1 by an authorised person.	<i>Management Act 1995</i>	
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 <i>Coastal Protection and Management Act 1995</i>	
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) <i>Coastal Protection and Management Act 1995</i>	
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 <i>Coastal Protection and Management Act 1995</i>	
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 <i>Coastal Protection and Management Act 1995</i>	
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 <i>Coastal Protection and Management Act 1995</i>	
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 <i>Coastal Protection and Management Act 1995</i>	
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 <i>Coastal Protection and Management Act 1995</i>	
Power to elect not to be the responsible entity for a change application.	Section 206(5) <i>Coastal Protection and Management Act 1995</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Disaster Management Act 2003

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	04/12/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to establish a Local Disaster Management Group for the local government area.	Section 29 <i>Disaster Management Act 2003</i> .	
Power to agree to unite with one or more other local government/s for the purpose of establishing a local group.	Section 31 <i>Disaster Management Act 2003</i> .	
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 <i>Disaster Management Act 2003</i> .	
Power to prepare a local disaster management plan for disaster management in the local government's area.	Section 57(1) <i>Disaster Management Act 2003</i> .	
Power to review, or renew, its local disaster management plan when local government considers it appropriate.	Section 59 <i>Disaster Management Act 2003</i> .	
Power to, on payment of the appropriate fee, give a person a copy of the local disaster management plan.	Section 60 <i>Disaster Management Act 2003</i> .	
Power to agree to unite with one or more other local governments for the purpose of preparing a local disaster management plan.	Section 61 <i>Disaster Management Act 2003</i> .	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Disaster Management Regulation 2014

<b>Document Reviewed:</b>	24/06/2020
<b>Reprint:</b>	2/04/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to appoint a person to a district disaster management group for a disaster district.	Section 5(1) <i>Disaster Management Regulation 2014</i>	
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) <i>Disaster Management Regulation 2014</i>	
Power to nominate a person to a temporary district disaster management group.	Section 7(1) <i>Disaster Management Regulation 2014</i>	
Power to appoint a person as a member of a local disaster management group.	Section 9(1) <i>Disaster Management Regulation 2014</i>	
Power to appoint a chairperson and deputy chairperson of a local disaster management group.	Section 10(1) <i>Disaster Management Regulation 2014</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Economic Development Act 2012

<b>Document Reviewed:</b>	24/06/2020
<b>Reprint:</b>	19/03/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make a submission about a draft provisional land use plan.	Section 36B <i>Economic Development Act 2012</i>	
Power to consult with MEDQ about a draft provisional land use plan.	Section 36C(3) <i>Economic Development Act 2012</i>	
Power to make a submission about a proposed amendment of a provisional land use plan.	Section 36I(3) <i>Economic Development Act 2012</i>	
Power to consult with MEDQ about a proposed amendment of a provisional land use plan.	Section 36I(3) <i>Economic Development Act 2012</i>	
Power to consult with MEDQ about a proposed declaration under section 40C(1).	Section 40B <i>Economic Development Act 2012</i>	
Power to consult with MEDQ about a proposed PDA instrument change.	Section 40H(1) <i>Economic Development Act 2012</i>	
Power, if asked by MEDQ, to prepare the proposed instrument for the planning instrument change.	Section 40I <i>Economic Development Act 2012</i>	
Power to consult with MEDQ about a proposed instrument for a planning scheme change.	Section 40J(a) <i>Economic Development Act 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Economic Development Act 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the proposer of the planning instrument change, to consult with any government entity, GOC or other entity it considers will be likely to be affected by the proposed planning instrument change.	Section 40J(b) <i>Economic Development Act 2012</i>	
Power, as the proposer of the planning instrument change, to give MEDQ the proposed instrument for its approval.	Section 40K(2) <i>Economic Development Act 2012</i>	
Power, as the proposer of the planning instrument change, to amend the proposed instrument for a planning instrument change in compliance with conditions imposed by MEDQ under section 40K(3)(b).	Section 40K(6) <i>Economic Development Act 2012</i>	
Power to publish on its website the planning instrument change made or approved under section 40K.	Section 40M(2) <i>Economic Development Act 2012</i>	
Power to make submissions to MEDQ about the proposed planning instrument change.	Section 41(5)(b) <i>Economic Development Act 2012</i>	
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 <i>Economic Development Act 2012</i>	
Power to agree to the making of a regulation making an interim local law.	Section 43(3) <i>Economic Development Act 2012</i>	
Power, as the enforcement authority under the Planning Act for a Planning Act approval and where chapter 3, part 2, division 4, subdivision 3 applies, to commence proceedings in the court seeking a declaration mentioned in section 51AJ(3).	Section 51AJ <i>Economic Development Act 2012</i>	
Power, as the enforcement authority under the Planning Act for a Planning Act approval and where chapter 3, part 2, division 4, subdivision 3 applies, to give an infrastructure charges notice if the circumstances in section 51AQ(2) apply.	Section 51AQ(2) <i>Economic Development Act 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Economic Development Act 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a distributor-retailer under the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> (SEQW(DRR)A) and where a water connection aspect of a water approval mentioned in section 51AU of the <i>Economic Development Act 2012</i> is amended, to give an infrastructure charges notice under the SEQW(DRR)A in relation to the amendment.	Section 51AU(6) <i>Economic Development Act 2012</i>	
Power to comply with a request by MEDQ to supply documents or information.	Section 52(3) <i>Economic Development Act 2012</i>	
Power to consult with MEDQ about a proposed development scheme.	Section 58(2)(a) <i>Economic Development Act 2012</i>	
Power as an owner of land to consent to the making of a PDA development application.	Section 82(1)(b) <i>Economic Development Act 2012</i>	
Power to make submissions to MEDQ about a PDA development application.	Section 84(4)(d) <i>Economic Development Act 2012</i>	
Power as an owner of land to consent in writing to the cancellation of a PDA development approval.	Section 98(1) <i>Economic Development Act 2012</i>	
Power as a superseding public sector entity to continue to make and levy the infrastructure expenses recoupment charge.	Section 116E(3)(b) <i>Economic Development Act 2012</i>	
Power as a charging entity to give a charge notice.	Section 116G <i>Economic Development Act 2012</i>	
Power to recover a charge that becomes owing under subsection (1).	Section 117 <i>Economic Development Act 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Economic Development Act 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to consult with MEDQ about a proposed infrastructure agreement likely to continue to apply in relation to land after the land ceases to be in, or to be PDA-associated land for, a priority development area.	Section 122(2) <i>Economic Development Act 2012</i>	
Power as a directed entity to do everything reasonably necessary to comply with a direction given by MEDQ.	Section 127(4) <i>Economic Development Act 2012</i>	
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) <i>Economic Development Act 2012</i>	
Power to subdelegate a function or power of MEDQ delegated to Council under subsection (1) to an appropriately qualified employee Council.	Section 169(4) <i>Economic Development Act 2012</i>	
Power, where serving a document under the <i>Economic Development Act 2012</i> , to effect service by giving the receiver a communication stating that: (a) the relevant document can be viewed on a stated website or other electronic medium; and (b) the receiver may ask for a copy of the relevant document.	Section 171B <i>Economic Development Act 2012</i>	
Power, where serving a document under section 171B(1) or (2), and where the receiver has asked for a copy of the relevant document, to give the receiver a copy of the relevant document.	Section 171B(6) <i>Economic Development Act 2012</i>	
Power as a directed entity, in the circumstances specified in subsection (1), to comply with the direction.	Section 213(2) <i>Economic Development Act 2012</i>	
Power as a directed entity, in the circumstances specified in subsection (1), to comply with the direction.	Section 214(2) <i>Economic Development Act 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO *Electricity Act 1994*

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	24/05/2019
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	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.

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a road authority, to enter a written agreement with an electricity entity.	Section 102(2) <i>Electricity Act 1994</i>	
Power, as a road authority, to give an electricity entity information about lines and levels for proposed roadworks.	Section 102(4) <i>Electricity Act 1994</i>	
Power, as a road authority, to consult with an electricity entity.	Section 103 <i>Electricity Act 1994</i>	
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 <i>Electricity Act 1994</i>	
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) <i>Electricity Act 1994</i>	
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 <i>Electricity Act 1994</i>	
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 <i>Electricity Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

#### Electricity Regulation 2006

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/07/2020
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	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.

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a public entity, to agree on a different consultation period with an electricity entity.	Section 18(3) <i>Electricity Regulation 2006</i>	
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) <i>Electricity Regulation 2006</i>	
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) <i>Electricity Regulation 2006</i>	
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) <i>Electricity Regulation 2006</i>	
Power, as a public entity, to agree with an electricity entity about the way maintenance work is to be carried out.	Section 22(2) <i>Electricity Regulation 2006</i>	
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 <i>Electricity Regulation 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Offsets Act 2014

<b>Document Reviewed:</b>	26/02/2020
<b>Reprint:</b>	13/02/2020
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make an environmental offsets policy available for inspection.	Section 12(3) <i>Environmental Offsets Act 2014</i>	
Power, as an administering agency, to impose an offset condition if the circumstances in sections 14 and 15 apply.	Sections 14 and 15 <i>Environmental Offsets Act 2014</i>	
Power to consider a notice of election and any offset delivery plan.	Section 19(1) <i>Environmental Offsets Act 2014</i>	
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) <i>Environmental Offsets Act 2014</i>	
Power to agree to amend either or both of the agreed delivery arrangement and an offset delivery plan.	Section 19(7) <i>Environmental Offsets Act 2014</i>	
Power to give the notice required to be given under subsection (4).	Section 19A <i>Environmental Offsets Act 2014</i>	
Power to enter another agreed delivery arrangement.	Section 20 <i>Environmental Offsets Act 2014</i>	
Power to decide an application to remove duplicate conditions, make other amendments to the authority, and give notice of the decision.	Section 25A <i>Environmental Offsets Act 2014</i>	
Power, as a relevant agency, to enter an environmental offset agreement.	Section 26 <i>Environmental Offsets Act 2014</i>	
Power, as a relevant agency, to enter another environmental offset agreement that varies, or terminates and replaces, an earlier environmental offset agreement.	Section 28 <i>Environmental Offsets Act 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Offsets Act 2014

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, in the circumstance specified in subsection 35(1)(a), to give a compliance notice in relation to the terms of the environmental offset agreement.	Section 35 <i>Environmental Offsets Act 2014</i>	
Power, where Council has given a compliance notice and the person contravenes it by not doing something, to do the thing and recover any reasonable costs or expenses incurred in doing it as a debt.	Section 39 <i>Environmental Offsets Act 2014</i>	
Power to credit amounts received by Council as a financial settlement offset to Council's trust fund.	Section 89(1) <i>Environmental Offsets Act 2014</i>	
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) <i>Environmental Offsets Act 2014</i>	
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 <i>Environmental Offsets Act 2014</i>	
Power, as an administering agency, to decide an application to amend:- <ul style="list-style-type: none"> <li>(a) an existing authority;</li> <li>(b) an authority granted, on or after commencement, as the result of an application that was made but not dealt with, before commencement,</li> </ul> and to do all things authorised or required by section 95B following the making of the decision.	Section 95B <i>Environmental Offsets Act 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Offsets Regulation 2014

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	22/08/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Environmental Offsets Regulation 2014</i>	
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 <i>Environmental Offsets Regulation 2014</i>	
Power, as a decision maker, to remove an advanced offset from the register kept under section 90 of the Act.	Section 14(7) <i>Environmental Offsets Regulation 2014</i>	
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 <i>Environmental Offsets Regulation 2014</i>	
Power, as a relevant entity, to extend the time for applying for internal review.	Section 18(2) <i>Environmental Offsets Regulation 2014</i>	
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 <i>Environmental Offsets Regulation 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection (Water and Wetland Biodiversity) Policy 2019

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	02/10/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a recognised entity, in cooperation with the chief executive, to develop and implement a healthy waters management plan.	Section 16(2) <i>Environmental Protection (Water and Wetland Biodiversity) Policy 2019</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	04/12/2020
<b>Updated:</b>	130(3)(a), 228(1), 264, 308, 310, 311, 314, 315, 320DB(1), 320DB(2), 521(1)
<b>New:</b>	130(3)(b), 157(1), 161(1), 161(3), 181, 194A, 227AAB(2), 227AAC(2), 275, 284AA(2), 316D, 316E, 316G, 316I(2), 316I(4), 316L, 316M, 316N, 316P, 316Q, 526, 539A(1), 547C(1), 547C(2), 547C(3), 547D(2)
<b>Removed:</b>	177, 292, 295, 296, 301, 304, 305, 306, 307, 521(5), 522
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an affected person, to make written comments to the chief executive about a TOR notice.	Sections 42 and 43 <i>Environmental Protection Act 1994</i>	
Power to make a written submission about a submitted EIS.	Section 54 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to give an applicant a notice about an application that is not a properly made application.	Section 128 <i>Environmental Protection Act 1994</i>	
Power to agree a further period within which the applicant must give notice under section 128	Section 129 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to give a notice or other document relating to an application made by joint applicants, to the principal applicant nominated in the application.	Section 130(3)(a) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to make a requirement under Chapter 5 relating to an application made by joint applicants, to the principal applicant nominated in the application.	Section 130(3)(b) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to give written agreement that a change to an application is a minor change.	Section 133 <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority, to determine satisfaction that the requirements under the application stage have been complied with.	Section 136(b)(i) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to make a written information request to the applicant to give further information needed to assess the application.	Section 140 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to agree to extend the applicant's information request response period.	Sections 145 and 147 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to determine not to make an information request.	Section 148(b)(i) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to determine the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.	Section 150(1)(d) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to keep the documents listed in subsection 157(1) open for inspection by members of the public during office hours on business days for all of the access period.	Section 157(1) <i>Environmental Protection Act 1994</i>	
Power to decide to allow or not allow substantial compliance with public notice requirements.	Section 159	
Power, as an administering authority, to accept a properly made submission and a submission that is not a properly made submission.	Sections 161(1) and (3) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to approve a standard application subject to the standard conditions for the relevant activity or authority.	Section 170 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority, to refuse a site-specific application or approve a site-specific application subject to conditions.	Section 172 <i>Environmental Protection Act 1994</i>	
<del>Power, as an administering authority, to include a copy of the environmental authority in the relevant register.</del>	<del>Section 177 <i>Environmental Protection Act 1994</i></del>	
Power, as an administering authority after making a decision under division 2, subdivision 2, to give written notice of the decision.	Section 181 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to make a final decision on an application for an environmental authority.	Section 194A <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to issue an environmental authority.	Section 195 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to include a copy of an environmental authority in the relevant register.	Section 197 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to give an information notice to the applicant for an environmental authority.	Section 198(2) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to give an information notice about the decision to any submitter for the application.	Section 198(4) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to impose a condition on an environmental authority or draft environmental authority to which section 115 applies.	Section 203 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority where an amendment application is not a properly made amendment application, to give the applicant a notice stating all the matter contained in the subsection.	Section 227AAB(2) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority where a notice has been issued under subsection 227AAB(2), to agree to a further period to take the action mentioned in subsection 227AAB(2)(c).	Section 227AAC(2) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority after receiving an amendment application, to decide whether the proposed amendments is a minor or major amendment.	Section 228(1) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to set the submission period for the application by written notice.	Section 234 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to give written agreement to the continued assessment of a changed application to amend an environmental authority.	Section 237 <i>Environmental Protection Act 1994</i>	
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) <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994.</i>	
Power, as an administering authority that decides to approve an amalgamation application, to amalgamate the existing authorities, issue it to the applicant and include a copy of it in the relevant register.	Section 248 <i>Environmental Protection Act 1994.</i>	
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 <i>Environmental Protection Act 1994.</i>	
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 <i>Environmental Protection Act 1994.</i>	
Power, as an administering authority, to decide whether a final rehabilitation report includes enough information to decide that the requirements in section 264(b)(i) and 264(b)(ii) have been met.	Section 264 <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to approve or refuse a surrender application.	Section 266 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, after deciding a surrender application to take the steps listed in subsections 275(a) or 275(b) as applicable.	Section 275 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority in the circumstances set out in subsection 284AA(1), to cancel an environmental authority if the procedure in Chapter 5, Part 11, Division 2 is followed.	Section 284AA(2) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
<del>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.</del>	<del>Section 292 <i>Environmental Protection Act 1994</i></del>	
<del>Power, as an administering authority, to decide the amount and form of financial assurance required under a condition of an environmental authority.</del>	<del>Section 295 <i>Environmental Protection Act 1994</i></del>	
<del>Power, as an administering authority, to give notice of the decision under section 295(1).</del>	<del>Section 296 <i>Environmental Protection Act 1994</i></del>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<del>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.</del>	<del>Section 301 Environmental Protection Act 1994</del>	
<del>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.</del>	<del>Section 304 Environmental Protection Act 1994</del>	
<del>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.</del>	<del>Section 305 Environmental Protection Act 1994</del>	
<del>Power, as an administering authority, to require a change of the amount of a financial assurance.</del>	<del>Section 306 Environmental Protection Act 1994</del>	
<del>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.</del>	<del>Section 307 Environmental Protection Act 1994</del>	
Power, as the 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 316C.	Section 308 Environmental Protection Act 1994	
Power, as an administering authority, to decide the amount and form of financial assurance required under a condition of an environmental authority.	Section 310 Environmental Protection Act 1994	
Power, as an administering authority, to give notice of the decision under section 310..	Section 311 Environmental Protection Act 1994	
(a) Power, as an administering authority that receives an application under section 312, to approve or refuse the application and give the applicant notice of the decision.	Section 314 Environmental Protection Act 1994	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority, to require the holder of an environmental authority for which financial assurance has been given to change the amount of the financial assurance, including giving written notice to the holder.	Section 315 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority in the circumstances referred to in 316C, to make a claim on or realise a financial assurance.	Section 316D <i>Environmental Protection Act 1994</i>	
Power, as an administering authority in the circumstances set out in subsection 316E(1) and (2) give written notice to the entity who gave the EPA assurance or the entity who paid the surety.	Section 316E <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to decide whether to make a claim on, or realise, the EPA assurance, or to ask for payment of the costs and expenses mentioned in subsection 316D(2)(b) and give an information notice about the decision	Section 316G <i>Environmental Protection Act 1994</i>	
Power, as the administering authority, to give an annual notice.	Section 316I(2) <i>Environmental Protection Act 1994</i>	
Power, as the administering authority, to recover from the holder of an environmental authority as a debt, outstanding annual fees.	Section 316I(4) <i>Environmental Protection Act 1994</i>	
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 316L(1)(a) and 316L(1)(b).	Sections 316L and 316M <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to give the holder:- (a) if the decision is the change the day – written notice of the decision; or if the decision is not to change the day – an information notice for the decision.	Section 316N <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority to, in the circumstances specified in section 316P(1)(a) and 316P(1)(b):- (b) 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; give written notice of the proposed requirement prior to making it.	Section 316P <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to ask any entity for advice, comment or information about an application made under Chapter 5.	Section 316Q <i>Environmental Protection Act 1994</i>	
Power to make submissions about a proposed ERA standard.	Section 318A <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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) <i>Environmental Protection Act 1994</i>	
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) <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a local government mentioned in section 320A(3)(c), 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) <i>Environmental Protection Act 1994</i>	
Power, as a local government mentioned in sections 320A(3)(a) or 320A(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) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to require a person to conduct or commission an environmental investigation.	Section 326B <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to ask for further information.	Section 326F <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to accept the report or refuse to accept the report and to give notice of the decision.	Section 326G <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to require a person or public authority to submit a draft transitional environmental program.	Section 332 <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to submit a draft transitional environmental program to the administering authority for approval.	Section 333 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power to make a submission in relation to a draft transitional environmental program.	Section 335 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to seek advice, comment or information about a TEP submission.	Section 336A <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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) <i>Environmental Protection Act 1994</i>	
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) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority, to approve a draft transitional environmental program if there has been substantial compliance with public notice requirements.	Section 342 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to consider and approve or refuse an application to amend a transitional environmental program.	Section 344 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to withdraw the notice or remove the record.	Section 344F <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to apply to the Court for an order that section 353(1) does not apply.	Section 355 <i>Environmental Protection Act 1994</i>	
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) <i>Environmental Protection Act 1994</i>	
Power, as administering authority, to – <ul style="list-style-type: none"> <li>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</li> <li>refuse to grant the application for a temporary emissions licence.</li> </ul>	Sections 357C, 357D and 357E <i>Environmental Protection Act 1994</i>	
Power, as administering authority, to amend, cancel or suspend a temporary emissions licence.	Section 357J <i>Environmental Protection Act 1994</i>	
Power, as holder of a temporary emissions licence, to give written agreement to the amendment of the licence.	Section 357J <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority, to issue an environmental protection order.	Section 358 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to decide a person has a relevant connection with a company.	Section 363AB <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to issue an environmental protection order to a related person of the company.	Section 363AC <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to issue an environmental protection order to a related person of a high risk company.	Section 363AD <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to issue a cost recovery notice to the recipient.	Section 363AI <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to claim the amount from the recipient as a debt.	Section 363AI(7) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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) <i>Environmental Protection Act 1994</i>	
Power, as a prescribed responsible person, to comply with a notice issued by the administering authority pursuant to this section.	Section 394(5) <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Environmental Protection Act 1994</i>	
Power, as a prescribed responsible person, to comply with a requirement of the administering authority given pursuant to this section.	Section 397 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an owner of land in a circumstance listed in subsection (1), to give the notice required by subsection (2).	Section 408 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to require a person to provide information for the enforcement or administration of this Act.	Section 451 <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 452 <i>Environmental Protection Act 1994</i>	
Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 454 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to issue a notice that an authorised person will enter land.	Section 454(3)(b) and (4) <i>Environmental Protection Act 1994</i>	
Power, as the occupier of access land, to consent to an authorised person's entry onto the land.	Section 455 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to waive payment of costs of investigation or remediation work.	Section 489 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to make an application to the court for an order against a defendant for costs.	Section 501(1)(c) <i>Environmental Protection Act 1994</i>	
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) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to make an application to the Court to remedy or restrain an offence against this Act.	Section 505 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the administering authority, to: (a) accept or reject an enforceable undertaking; (b) given written notice of the decision and the reasons for the decision (c) publish a copy of any undertaking on Council's website; and (d) take all reasonable steps to have any proceedings in relation to the contravention discontinued.	Section 507 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as the administering authority, to amend an enforceable undertaking by written agreement.	Section 510 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as the administering authority, to apply to the Magistrates Court for an order if a person contravenes an enforceable undertaking.	Section 513(2) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, where the chief executive has delegated the powers as an administering authority to Council, to exercise those delegated powers.	Section 518(1)(a)(ii) <i>Environmental Protection Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a dissatisfied person, to apply for a review of an original decision.	Section 521(1) <i>Environmental Protection Act 1994</i>	
<del>Power, as an administering authority, to review a decision.</del>	<del>Section 521(5) <i>Environmental Protection Act 1994</i></del>	
<del>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.</del>	<del>Section 522 <i>Environmental Protection Act 1994</i></del>	
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 <i>Environmental Protection Act 1994</i>	
Power, as a party to an appeal, to ask the Land Court to conduct or provide mediation for the appeal, participate in the mediation and attempt to settle the appeal at mediation.	Section 526 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as an applicant for internal review of an original decision mentioned in schedule 2, part 1 or 2, to apply for a stay of the decision.	Section 539A(1) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, keep the registers listed in section 540(1) and keep them available for inspection.	Section 540, 541 and 542 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to prepare and submit a report to the chief executive.	Section 546 <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to consider and decide a request for the issue of a temporary authority.	Section 547C(1) and (2) <i>Environmental Protection Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority, to give the person written notice of the decision to refuse the issue of a temporary authority and the reasons for the decision.	Section 547C(3) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to issue a temporary authority by giving a written notice.	Section 547D(2) <i>Environmental Protection Act 1994</i>	
Power, as an administering authority, to consult with the chief executive about guidelines the chief executive proposes for administering authorities.	Section 548(3) <i>Environmental Protection Act 1994</i>	
Power to consult with the chief executive about guidelines the chief executive proposes.	Section 549(3) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
Power, as the owner or occupier of the land, to claim compensation for any compensatable effect in a proceeding brought in a court of competent jurisdiction.	Section 579(4) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority, to amend a condition about financial assurance imposed under Chapter 13 Part 7.	Section 634 <i>Environmental Protection Act 1994</i>	
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) <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	
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 <i>Environmental Protection Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

Document Reviewed:	24/02/2020
Reprint:	25/09/2020
Updated:	21(4)
New:	
Removed:	
Note:	New Reprint. Changes.

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, where Council is a referral agency for a development application for a material change of use for a concurrence ERA to assess the development application against the matters stated in subsection 21(2)(a) to (c).	Section 21(4) <i>Environmental Protection Regulation 2019</i>	
Power, as an administering authority making an environmental management decision relating to an environmentally relevant activity, other than a prescribed ERA to do those things required in subsections 35(1)(a) to 35(1)(e).	Section 35(1) <i>Environmental Protection Regulation 2019</i>	
Power, as an administering authority making an environmental management decision relating to a prescribed ERA to do those things required in subsections 35(3)(a) and 35(3)(b).	Section 35(3) <i>Environmental Protection Regulation 2019</i>	
Power, as an administering authority making an environmental management decision relating to an activity, to consider whether to impose conditions about each of the matters listed in subsections 36(1)(a) to 36(1)(m).	Section 36(1) <i>Environmental Protection Regulation 2019</i>	
Power, as an administering authority making an environmental management decision relating to an activity, to consider whether to impose monitoring conditions about the release of contaminants from the activity on the receiving environment.	Section 37 <i>Environmental Protection Regulation 2019</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

Power, as an administering authority making an environmental management decision relating to an activity that involves, or may involve, the release of water or waste to a wetland for treatment, to refuse to grant the application for a reason listed in subsection 40(2).	Section 40 <i>Environmental Protection Regulation 2019</i>	
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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority making an environmental management decision relating to an activity that involves, or may involve, the release of water or waste directly to groundwater, to refuse to grant the application for a reason listed in subsection 40(2).	Section 41 <i>Environmental Protection Regulation 2019</i>	
Power, as an administering authority in the circumstances set out in subsection 41AA(1), to refuse to grant the application if the relevant activity will, or may have, a residual impact.	Section 41AA(3) <i>Environmental Protection Regulation 2019</i>	
Power, as a person who generates waste, if required by an authorised person, to retest the waste under chapter 5, part 1, division 2.	Section 47 <i>Environmental Protection Regulation 2019</i>	
Power, as a generator of waste in the circumstances prescribed in subsection 51(1), to notify the administering authority of the change within 24 hours after receiving the test results for the retesting.	Section 51(2) <i>Environmental Protection Regulation 2019</i>	
Power, as a generator of waste in the circumstances prescribed in subsection 51(1), to give a written report to the administering authority containing those things prescribed in subsection 51(3).	Section 51(3) <i>Environmental Protection Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power, as a generator of tested waste in the State, to:-</p> <ul style="list-style-type: none"> <li>(a) for each load of the waste transported to a receiver, record the prescribed information for the load in the approved form;</li> <li>(b) give the prescribed information for the load to the receiver; and</li> <li>(c) keep the record mentioned in subsection 52(1) for at least 5 years.</li> </ul>	<p>Section 52 <i>Environmental Protection Regulation 2019</i></p>	
<p>Power, as a receiver in the State who is given a load of tested waste, to:-</p> <ul style="list-style-type: none"> <li>(a) record the prescribed information for the load in the approved form;</li> <li>(b) within 24 hours after becoming aware of an omission or inaccuracy in the prescribed information, give written notice of the omission or inaccuracy to the administering authority; and</li> <li>(c) keep the record mentioned in subsection 53(2) for at least 5 years.</li> </ul>	<p>Section 53 <i>Environmental Protection Regulation 2019</i></p>	
<p>Power, as a waste handler to pay the fee to the chief executive when giving prescribed information about the transportation of trackable waste to the administering authority.</p>	<p>Section 73 <i>Environmental Protection Regulation 2019</i></p>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a generator, to give the transporter the prescribed information about the waste in the prescribed form and to record the prescribed information about the waste.	Section 78(1) <i>Environmental Protection Regulation 2019</i>	
Power, as a generator, to give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period after giving the waste to the transporter.	Section 78(2) <i>Environmental Protection Regulation 2019</i>	
Power, as a transporter, to give the receiver the prescribed information about the waste and to record the prescribed information about the waste.	Section 79(2) <i>Environmental Protection Regulation 2019</i>	
Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.	Section 79(3) <i>Environmental Protection Regulation 2019</i>	
Power, as a transporter, to keep the record mentioned in subsection 79(2)(b) for at least 5 years.	Section 79(4) <i>Environmental Protection Regulation 2019</i>	
Power, as a receiver, to record the prescribed information about the waste.	Section 80(1) <i>Environmental Protection Regulation 2019</i>	
Power, as a receiver, to give a copy of the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period.	Section 80(2) <i>Environmental Protection Regulation 2019</i>	
Power, as a receiver, to give the administering authority written notice of a discrepancy in information received from the transporter.	Section 80(3) <i>Environmental Protection Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a transporter, to keep the record mentioned in subsection 80(1) for at least 5 years.	Section 80(4) <i>Environmental Protection Regulation 2019</i>	
Power, as a receiver, to record the prescribed information about the waste.	Section 84(1) <i>Environmental Protection Regulation 2019</i>	
Power, as a receiver, to give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period.	Section 84(2) <i>Environmental Protection Regulation 2019</i>	
Power, as a receiver, to give the administering authority written notice of a discrepancy in information received from the transporter.	Section 84(3) <i>Environmental Protection Regulation 2019</i>	
Power, as a receiver, to keep the record mentioned in subsection 84(1) for at least 5 years.	Section 84(4) <i>Environmental Protection Regulation 2019</i>	
Power, as a generator, to give the transporter the prescribed information about the waste and to record the prescribed information about the waste.	Section 87(1) <i>Environmental Protection Regulation 2019</i>	
Power, as a generator, to give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period.	Section 87(2) <i>Environmental Protection Regulation 2019</i>	
Power, as a receiver, to keep the record mentioned in subsection 87(1)(b) for at least 5 years.	Section 87(4) <i>Environmental Protection Regulation 2019</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.	Section 88(2) <i>Environmental Protection Regulation 2019</i>	
Power to apply to the administering executive for approval of a particular way of giving prescribed information to the administering authority under division 3 and to take all steps necessary to advance the application.	Section 92 <i>Environmental Protection Regulation 2019</i>	
Power to apply to the administering executive for a consignment number for a load of trackable waste to be transported into Queensland and to take all steps necessary to advance the application.	Section 93 <i>Environmental Protection Regulation 2019</i>	
Power to apply to the administering executive for an exemption for the transportation of trackable waste to which Chapter 5, Part 9 applies and to take all steps necessary to advance the application.	Section 94 <i>Environmental Protection Regulation 2019</i>	
Power to apply to the administering executive for a generator identification number.	Section 97 <i>Environmental Protection Regulation 2019</i>	
Power to require an owner or occupier of relevant premises to supply waste containers other than standard general waste containers.	Section 101(1)(b) <i>Environmental Protection Regulation 2019</i>	
Power to supply premises with standard general waste containers.	Section 101(2) <i>Environmental Protection Regulation 2019</i>	
Power to require a waste container to be kept at a particular place at a premises.	Section 103(1)(a) <i>Environmental Protection Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power to require a prescribed person of serviced premises, other than a detached dwelling, to supply:</p> <ul style="list-style-type: none"> <li>(a) an elevated stand at a level required by Council; or</li> <li>(b) an imperviously paved and drained area for the waste containers, and</li> <li>(c) a hose cock and hose in the vicinity of the stand or paved area; and</li> <li>(d) a suitable enclosure for the waste containers.</li> </ul>	Section 104(2) <i>Environmental Protection Regulation 2019</i>	
Power to give a written notice about the removal of general waste.	Section 105 <i>Environmental Protection Regulation 2019</i>	
Power to give a written approval to the owner or occupier of relevant premises for depositing or disposing of general waste and to impose conditions on the approval.	Section 106 <i>Environmental Protection Regulation 2019</i>	
<p>Power to require the occupier of relevant premises where there is industrial waste to:</p> <ul style="list-style-type: none"> <li>(a) supply industrial waste containers;</li> <li>(b) keep the waste containers at a place at the premises that Council requires; and</li> <li>(c) keep each waste container clean and in good repair.</li> </ul>	Section 107(1) <i>Environmental Protection Regulation 2019</i>	
Power, where the occupier does not supply the waste containers required under subsection 107(1)(a), to supply industrial waste containers.	Section 107(2) <i>Environmental Protection Regulation 2019</i>	
Power to require occupier of relevant premises where there is industrial waste, to treat the waste to the standard approved by Council for disposal of the waste at a waste facility.	Section 108 <i>Environmental Protection Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to give the chief executive the information identified in subsection 117(2).	Section 117(2) <i>Environmental Protection Regulation 2019</i>	
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to comply with a notice issued by the chief executive pursuant to subsection 117(6).	Section 117(7) <i>Environmental Protection Regulation 2019</i>	
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to keep the information listed in section 119.	Section 119 <i>Environmental Protection Regulation 2019</i>	
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to make written representations to the Minister in response to a notice issued pursuant to subsection 120(4).	Section 120 <i>Environmental Protection Regulation 2019</i>	
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to apply to the chief executive for an estimation technique approval and to respond to any request for further information.	Section 123 <i>Environmental Protection Regulation 2019</i>	
Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to give the chief executive a written notice claiming that the information required to be given under section 117(2) or (7) should be treated as confidential and to respond to any requests for further information.	Section 127 <i>Environmental Protection Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to administer and enforce those provisions of the Act devolved to Council under Chapter 8, Part 1.	Sections 130, 131, 132, 133, 134, 135 and 136 <i>Environmental Protection Regulation 2019</i>	
Power, as an administering authority, to recover as a debt an unpaid fee under the Act.	Section 155 <i>Environmental Protection Regulation 2019</i>	
Power, as a holder, to give the chief executive the documents listed in subsection 166(1).	Section 166(1) <i>Environmental Protection Regulation 2019</i>	
Power, as a holder, to keep the records listed in in subsections 170(a) to (d).	Section 170 <i>Environmental Protection Regulation 2019</i>	
Power, as a holder, to comply with a notice issued by an authorised person pursuant to subsection 171(2).	Section 171(3) <i>Environmental Protection Regulation 2019</i>	
Power, as a holder, to give the administering authority written notice that eligibility for the reduced annual fee under subsections 165(1)(c)(i) or (ii) has stopped.	Section 172 <i>Environmental Protection Regulation 2019</i>	
Power, as an administering authority, to require by written notice the holder to pay the difference between the annual fee and the reduced annual fee.	Section 173(2) <i>Environmental Protection Regulation 2019</i>	
Power, as an administering authority, to recover as a debt from the holder of an environmental authority an unpaid supplementary annual fee for an amended environmental authority.	Section 174(3) <i>Environmental Protection Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Environmental Protection Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an administering authority, to, by written notice, require the holder of an environmental authority for regulated waste transport to pay a supplementary annual fee and if unpaid, to recover the supplementary annual fee as a debt.	Section 175 <i>Environmental Protection Regulation 2019</i>	
Power, as an administering authority, to, by written notice, require the holder to pay:-  (a) the annual fee or the outstanding amount of the fee; and  (b) the late payment fee stated in schedule 15 of the Regulation.	Section 177(2) <i>Environmental Protection Regulation 2019</i>	
Power, as a holder, to comply with a notice issued pursuant to subsection 177(2).	Section 177(3) <i>Environmental Protection Regulation 2019</i>	
Power, as a holder, to pay the administering authority a fee for its assessment of the holder's annual returns and monitoring compliance with the transitional environmental program.	Section 178(2) <i>Environmental Protection Regulation 2019</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Fire and Emergency Service Act 1990

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/10/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to comply with a requirement issued by an authorised fire officer under subsection (2).	Section 58D <i>Fire and Emergency Service Act 1990</i>	
Power to comply with a requisition notice.	Section 69 <i>Fire and Emergency Service Act 1990</i>	
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 <i>Fire and Emergency Service Act 1990</i>	
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 <i>Fire and Emergency Service Act 1990</i>	
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) <i>Fire and Emergency Service Act 1990</i>	
Power to implement an off-site emergency plan.	Section 101 <i>Fire and Emergency Service Act 1990</i>	
Power to give written notice to the chief executive of a change of circumstances affecting an off-site emergency plan.	Section 102(1) <i>Fire and Emergency Service Act 1990</i>	
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 <i>Fire and Emergency Service Act 1990</i>	
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) <i>Fire and Emergency Service Act 1990</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Fire and Emergency Service Act 1990

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to consult with the commissioner about a notice under section 104G(1).	Section 104G(2) <i>Fire and Emergency Service Act 1990</i>	
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) <i>Fire and Emergency Service Act 1990</i>	
Power to consult with an authorised officer about a notice under section 104I(7) or (8).	Section 104I(9) <i>Fire and Emergency Service Act 1990</i>	
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) <i>Fire and Emergency Service Act 1990</i>	
Power to furnish to the chief executive a return disclosing the particulars prescribed under a regulation relating to certain properties.	Section 109(1) <i>Fire and Emergency Service Act 1990</i>	
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 1990</i> .	Section 111(2) <i>Fire and Emergency Service Act 1990</i>	
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) <i>Fire and Emergency Service Act 1990</i>	
Power to give the owner of a prescribed property a levy notice.	Section 112(2) <i>Fire and Emergency Service Act 1990</i>	
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) <i>Fire and Emergency Service Act 1990</i>	
Power to amend, revoke or revoke and give a new levy notice if the chief executive allows an appeal.	Section 113(6) <i>Fire and Emergency Service Act 1990</i>	
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) <i>Fire and Emergency Service Act 1990</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Fire and Emergency Service Act 1990

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 1990</i> .	Section 117(3) <i>Fire and Emergency Service Act 1990</i>	
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) <i>Fire and Emergency Service Act 1990</i>	
Power to prepare and submit a return in the approved form	Section 118(4) <i>Fire and Emergency Service Act 1990</i>	
Power to refuse or grant, subject to any conditions, an application to pay contributions by instalments.	Section 121(2) <i>Fire and Emergency Service Act 1990</i>	
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) <i>Fire and Emergency Service Act 1990</i>	
Power to contribute amounts raised via special rates or charges, or separate rates or charges, to rural fire brigades operating in Council's local government area.	Section 128A <i>Fire and Emergency Service Act 1990</i>	
Power to consult with the commissioner about the establishment of an SES unit in Council's local government area.	Section 133(2) <i>Fire and Emergency Service Act 1990</i>	
Power to nominate a person to be the local controller for an SES unit.	Section 134(2) <i>Fire and Emergency Service Act 1990</i>	
Power as a local government affected by a disaster to request the commissioner to appoint a person as a SES coordinator.	Section 136(3) <i>Fire and Emergency Service Act 1990</i>	
Power to consult with the commissioner about the appointment of a person as a SES coordinator.	Section 136(4) <i>Fire and Emergency Service Act 1990</i>	
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 <i>Fire and Emergency Service Act 1990</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Fire and Emergency Service Act 1990**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to consult with the commissioner about the establishment of an ES unit in Council's local government area.	Section 141(2) <i>Fire and Emergency Service Act 1990</i>	
Power to consult with the commissioner about the functions of an ES unit in Council's local government area.	Section 142(3) <i>Fire and Emergency Service Act 1990</i>	
Power to nominate a person to be an ES unit coordinator.	Section 146(2) <i>Fire and Emergency Service Act 1990</i>	
Power to produce to an authorised person any document or record mentioned in subsection (2)(b).	Section 152C(4) <i>Fire and Emergency Service Act 1990</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Food Act 2006

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	22/06/2020
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<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Food Act 2006</i>	
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 <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
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 <i>Food Act 2006</i>	
Power to consider and grant, or refuse to grant, an application for a licence to carry on a licensable food business.	Section 55 <i>Food Act 2006</i>	
Power to obtain and consider the written advice of an auditor about whether a food safety program complies with section 98.	Section 56(2) <i>Food Act 2006</i>	
Power to decide whether premises are suitable for carrying on a licensable food business.	Section 58 <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
Power to require the applicant to give Council further information or documents that Council reasonably requires.	Section 59(1)(b) <i>Food Act 2006</i>	
Power to extend the time needed to make a decision about the application.	Section 62(2) <i>Food Act 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Food Act 2006

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Food Act 2006</i>	
Power to issue a provisional licence, at any time prior to deciding an application for a licence.	Section 64 <i>Food Act 2006</i>	
Power to decide the term of the licence. (Note: not more than 3 years).	Section 67 <i>Food Act 2006</i>	
Power to decide the term of the provisional licence. (Note: not more than 3 months).	Section 68(1) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
Power to impose reasonable conditions on the licence.	Section 69(1)(e) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
Power to give a show cause notice.	Section 79(2) <i>Food Act 2006</i>	
Power to consider representations about a show cause notice.	Section 80(2) <i>Food Act 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Food Act 2006

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to end the show cause process after considering representations made by the licensee.	Section 81 <i>Food Act 2006</i>	
Power to suspend a licence after considering representations (if any).	Section 82(2)(a) <i>Food Act 2006</i>	
Power to cancel a licence after considering representations (if any).	Section 82(2)(b) <i>Food Act 2006</i>	
Power to suspend a licence immediately.	Section 83(1) <i>Food Act 2006</i>	
Power to give an information notice and show cause notice, as required, before suspending a licence pursuant to section 83(1).	Section 83(2) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
Power to consider and grant, or refuse to grant, an application for a replacement licence.	Section 97 <i>Food Act 2006</i>	
Power to consider an application and to accredit, or refuse to accredit, the food safety program.	Section 103(1) <i>Food Act 2006</i>	
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) <i>Food Act 2006</i>	
Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	Section 105(1) <i>Food Act 2006</i>	
Power to give an information notice to the applicant where the application is refused under section 107.	Section 107(4) <i>Food Act 2006</i> .	
Power to decide that more time is needed to make a decision about the application.	Section 108(1) <i>Food Act 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Food Act 2006

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Food Act 2006</i>	
Power, after accrediting an applicant's food safety program, to decide how often the program must have compliance audits.	Section 109(2) <i>Food Act 2006</i>	
Power to determine changes to the frequency of compliance audits for a food safety program accredited by Council.	Section 110 <i>Food Act 2006</i> .	
Power to consider an application and approve, or refuse to approve, the amendment of an accredited food safety program.	Section 112(4) <i>Food Act 2006</i>	
Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.	Section 113(1) <i>Food Act 2006</i>	
Power, by notice, to direct the holder of a Council accredited food safety program to amend the program.	Section 114 <i>Food Act 2006</i>	
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 <i>Food Act 2006</i> .	
Power to consider representations about a show cause notice.	Section 119 <i>Food Act 2006</i>	
Power, after considering written representations by the holder of the accredited food safety program, to take no further action.	Section 120 <i>Food Act 2006</i> .	
Power to cancel the accreditation of a food safety program.	Section 121 (2) <i>Food Act 2006</i> .	
Power to conduct a nonconformance audit of a food safety program.	Section 160(2) <i>Food Act 2006</i>	
Power to approve an improvement notice where remedying the contravention would be likely to stop the food business from operating.	Section 210(2) <i>Food Act 2006</i>	
Power, as the 'reviewer', to review an original decision under Chapter 3 or Chapter 4 of the <i>Food Act 2006</i> .	Section 237 <i>Food Act 2006</i>	
Power, as reviewer, to, at any time, extend the time to apply for a review.	Section 238(2) <i>Food Act 2006</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Food Act 2006**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Food Act 2006</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Food Production (Safety) Act 2000**

<b>Document Reviewed:</b>	26/02/2020
<b>Reprint:</b>	13/02/2020
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to approve the appointment of an employee of Council as an authorised officer by Safe Food Production (QLD).	Section 83 <i>Food Production (Safety) Act 2000</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle (Mass Dimension and Loading) National Regulation

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	22/02/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a road manager, to consent to the making of an HML declaration.	Sections 13(1)(b) and 14 <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	
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) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	
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) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	
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 <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	
Power, as a road manager, to consent to the granting of an HML permit.	Sections 22(1)(b) and 23 <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	
Power, as a road manager, to consent to the granting of an HML permit subject to conditions.	Section 24(1)(a) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Heavy Vehicle (Mass Dimension and Loading) National Regulation**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a road manager, to consent to amendment of an HML permit.	Section 29(4) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	
Power, as a road manager for a HML permit, to request the regulator to amend or cancel the permit.	Section 31(2) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	
Power, as a road manager, to consent to a declaration of the regulator pursuant to section 40.	Section 41(1) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO Heavy Vehicle National Law (Qld)

<b>Document Reviewed:</b>	24/06/2020
<b>Reprint:</b>	28/02/2020
<b>Updated:</b>	529A(1)
<b>New:</b>	529AA, 529A(3), 641(6)(b)
<b>Removed:</b>	
<b>Note:</b>	New Reprint. Changes.

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a party in the chain of responsibility for a heavy vehicle, to ensure, so far as is reasonably practicable, the safety of the party's transport activities relating to the vehicle.	Section 26C <i>Heavy Vehicle National Law (Qld)</i>	
Power to apply for a vehicle standards exemption permit and to comply with any request from the Regulator for further information.	Section 69 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the holder of a permit for a vehicle standards exemption (permit), to apply to the Regulator for an amendment or cancellation of the exemption and to comply with any request from the Regulator for further information.	Section 75 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the holder of a permit for a vehicle standards exemption permit, to make written representation in response to a notice issued by the Regulator issued under subsection (2).	Section 76(2)(e) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the holder of a permit for a vehicle standards exemption permit, to comply with a notice issued by the Regulator requiring the return of the permit.	Section 79(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, in the circumstances specified in subsection (1), to apply for a replacement permit.	Section 80(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).	Section 82(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).	Section 83(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person who permits another person to drive a heavy vehicle on a road, to ensure the vehicle, and the vehicle's components and load, comply with the mass requirements applying to the vehicle.	Section 96(1) <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a person who permits another person to drive a heavy vehicle on a road, to ensure the vehicle, and the vehicle's components and load, comply with the dimension requirements applying to the vehicle.	Section 102(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person who permits another person to drive a heavy vehicle on a road, to ensure the vehicle, and the vehicle's components and load, comply with the loading requirements applying to the vehicle.	Section 111(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to consent to the grant of a mass or dimension exemption (notice)	Section 118(1)(b) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to consent to the amendment of a map or list imposed on a mass or dimension exemption (notice)	Section 119(5)(b) <i>Heavy Vehicle National Law (Qld)</i>	
Power to apply to the Regulator for a mass or dimension exemption (permit) and to comply with a notice from the Regulator for additional information.	Section 123 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to consent to the grant of a mass or dimension exemption (permit)	Section 124(1)(b) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle, to ensure, so far as is reasonably practicable, the driver of the pilot vehicle or escort vehicle complies with subsection (2). the vehicle, and the vehicle's components and load, comply with the loading requirements applying to the vehicle	Section 130(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).	Section 132(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a relevant party for a driver mentioned in subsection (1), to ensure the driver complies with subsection (1).	Section 133(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to consent to the grant of a class 2 heavy vehicle authorisation (notice)	Section 139(1)(b) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to consent to the amendment of a map or list imposed on a class 2 heavy vehicle authorisation (notice)	Section 142(6)(b) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to consent to the grant of a class 2 heavy vehicle authorisation (permit)	Section 145(1)(b) <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).	Section 151(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a relevant party for a driver mentioned in subsection (1), to ensure the driver complies with subsection (1).	Section 152(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to consent or not to consent to the grant of a mass or dimension authority.	Section 156(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to ask the Regulator for a longer period of time under section 156(1)(b).	Section 156(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to determine that the consent should only be given if the mass of the vehicle under the application for the authority was less than applied for, and give the consent subject to a road condition that the vehicle not exceed the mass.	Section 156A(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power to give the Regulator a written statement that explains the road manager's decision and complies with section 172.	Section 156A(4) <i>Heavy Vehicle National Law (Qld)</i>	
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) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager, to consent to the grant a mass or dimension authority subject to conditions.	Sections 160(1), 161(1) and 162(1) <i>Heavy Vehicle National Law (Qld)</i>	
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) <i>Heavy Vehicle National Law (Qld)</i>	
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) <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Heavy Vehicle National Law (Qld)</i>	
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) <i>Heavy Vehicle National Law (Qld)</i>	
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) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager for a mass or dimension authority granted by Commonwealth gazette notice, to request the Regulator to amend or cancel the authority if the circumstances of section 174(1) exist.	Section 174(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager for a mass or dimension authority granted by permit, to request the Regulator to amend or cancel the authority if the circumstances of section 178(1) exist.	Section 178(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a responsible entity for a freight container, to ensure an operator or driver of a heavy vehicle does not transport the freight container by road using the vehicle without a complying container weight declaration for the freight container containing information in the form required under section 192A.	Section 190(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle, to ensure a driver of a heavy vehicle does not transport the freight container by road using the vehicle without a complying container weight declaration for the freight container containing information in the form required under section 192A.	Section 191(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle, to ensure the freight container is not given to another carrier unless the carrier has been provided with:- (a) a complying container weight declaration for the freight container containing information in the form required under section 192A; or (b) the prescribed particulars contained in a complying container weight declaration for the freight container.	Section 191(3) <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a relevant party for the driver, in the circumstances mentioned in subsection (1), to ensure, so far as is reasonably practicable, the driver:- (a) does not drive a fatigue-regulated heavy vehicle after making the change unless the driver has complied with section 263; and (b) can comply with his or her obligations in relation to the change.	Section 264(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person referred to in subsection (1), to apply to the Regulator for a work and rest hours exemption and provide any additional information sought by the Regulator.	Section 274 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the holder of a permit for a work and rest hours exemption, to apply to the Regulator for an amendment or cancellation of the exemption and to provide any additional information sought by the Regulator.	Section 280 <i>Heavy Vehicle National Law (Qld)</i>	
Power to comply with a notice from the Regulator regarding a work and rest hours exemption.	Section 284 <i>Heavy Vehicle National Law (Qld)</i>	
Power, where a permit for a work and rest hours exemption is defaced, destroyed, lost or stolen, to apply to the Regulator for a replacement permit.	Section 285 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).	Section 287(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a relevant party for a driver mentioned in subsection (1), to ensure the driver complies with subsection (1).	Section 288(3) <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power, as a record keeper in the circumstances listed in subsection (1), to, as soon as reasonably practicable after becoming aware of the matter or having reason to suspect the matter:-</p> <p>(a) either:-</p> <p style="padding-left: 20px;">(i) make the electronic work diary capable of recording new information; or</p> <p style="padding-left: 20px;">(ii) give the driver a new electronic work diary that is in working order; and</p> <p>(b) if the record keeper removes any information relating to any period during the last 28 days from the work diary to make it capable of recording new information—give the driver the removed information in a way that makes the information readily available to the driver; and</p> <p>(c) notify the Regulator in the approved form that the electronic work diary has been filled up.</p>	Section 311 <i>Heavy Vehicle National Law (Qld)</i>	
<p>Power, as a record keeper in the circumstances listed in subsection (1), to, as soon as reasonably practicable after becoming aware of the matter or having reason to suspect the matter:-</p> <p>(a) inform the driver that the electronic work diary has been destroyed, lost or stolen unless the driver informed the record keeper about the fault under section 309; and</p> <p>(b) give the driver an electronic work diary that is in working order; and</p> <p>(c) give the driver any information, in a way that makes the information readily available to the driver, that was in the destroyed, lost or stolen electronic work diary that:-</p> <p style="padding-left: 20px;">(i) is accessible to the record keeper; and</p> <p style="padding-left: 20px;">(ii) relates to any period during the last 28 days; and</p> <p style="padding-left: 20px;">(iii) is not stored in the new electronic work diary.</p>	Section 312(2) <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power as a record keeper to notify the Regulator in the approved form that the electronic work diary has been destroyed, lost or stolen.	Section 312(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a record keeper in the circumstances listed in subsection (1), to, as soon as reasonably practicable after becoming aware of the matter or having reason to suspect the matter inform the driver about the matter unless the driver informed the record keeper about the matter under section 309.	Section 313(2) <i>Heavy Vehicle National Law (Qld)</i>	
<p>Power, as a record keeper in the circumstances listed in subsection (1), to, after becoming aware of the matter or having reason to suspect the matter:-</p> <ul style="list-style-type: none"> <li>(a) direct the driver in the approved form to use a supplementary record in compliance with section 305; and</li> <li>(b) give the driver information that was in the electronic work diary, in a way that makes the information readily available to the driver, that:- <ul style="list-style-type: none"> <li>(i) is accessible to the record keeper; and</li> <li>(ii) relates to any period during the last 28 days; and</li> <li>(iii) is not stored in the electronic work diary because the electronic work diary is not in working order or is malfunctioning or has malfunctioned; and</li> </ul> </li> <li>(c) notify the Regulator in the approved form that the electronic work diary is not in working order or is malfunctioning or has malfunctioned; and</li> <li>(d) ensure the electronic work diary is examined and brought into working order and is not malfunctioning.</li> </ul>	Section 313(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a responsible party for the driver of a fatigue-regulated heavy vehicle, to ensure, so far as is reasonably practicable, the driver complies with each of Part 6.4, Division 2, Subdivisions 1, 2, 3 and 4.	Section 315 <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a record keeper for a driver of a fatigue-regulated heavy vehicle who is undertaking only 100km work under standard hours, to keep a record of the information listed in subsections (1)(a) to (b).	Section 319 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a record keeper for a driver of a fatigue-regulated heavy vehicle who is undertaking 100+km work under standard hours; or operating under BFM hours, AFM hours or exemption hours, to keep a record of the information listed in subsections (1)(a) to (c) and (3) (where relevant).	Section 321 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a record keeper for a driver of a fatigue-regulated heavy vehicle to ensure the driver complies with subsection (2).	Section 322(4) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a new record keeper for a driver of a fatigue-regulated heavy vehicle to ensure the driver complies with subsection (2).	Section 323(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a record keeper in the circumstances listed in subsection (1), to give the driver the information listed in subsection (2).	Section 324(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a record keeper in the circumstances listed in subsection (1), to give the driver the information listed in subsection (2).	Section 324A(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a record keeper for the driver of a fatigue-regulated heavy vehicle who knows, or has reasonable grounds to suspect, an electronic work diary has been tampered with, to report the matter to the Regulator.	Section 336A <i>Heavy Vehicle National Law (Qld)</i>	
Power as a record keeper of the driver of a fatigue-regulated heavy vehicle, to keep a record (or a copy) required to be made or kept under Division 3, for the period for which, and way in which subsections (1) to (7) require.	Section 341 <i>Heavy Vehicle National Law (Qld)</i>	
Power to apply to the Regulator for the approval of an electronic recording system.	Section 342 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the holder of an electronic recording system approval, to apply to the Regulator for an amendment or cancellation of the approval and give any additional information sought by the Regulator.	Section 351 <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the holder of the approval in relation to which a direction has been given under subsection (2), to comply with the direction.	Section 354(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person given a notice under subsection (3), to give a copy of the notice to each other person to whom the person has supplied an electronic recording system the subject of the approval, or a device forming part of the system.	Section 354(5) <i>Heavy Vehicle National Law (Qld)</i>	
Power, in the circumstance stated in subsection (1), to remove any electronic message on the system's visual display stating the system is or includes an electronic work diary.	Section 355(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, in the circumstance stated in subsection (1), to give each person to whom the holder has supplied an electronic recording system the subject of the approval that constitutes an electronic work diary, or of which an electronic work diary is a part, a notice stating that the approval has been cancelled	Section 355(4) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the employer of the driver of a fatigue-regulated heavy vehicle to make an application under subsection (1) on behalf of the driver and give any further information sought by the Regulator.	Section 364 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).	Section 376(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the record keeper for a driver of a fatigue-regulated heavy vehicle, to apply to the Regulator for a fatigue record keeping exemption (permit) and give any further information sought by the Regulator.	Section 384 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the holder of a permit for a fatigue record keeping exemption, to apply to the Regulator for an amendment or cancellation of the exemption and give any further information sought by the Regulator.	Section 389 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the holder of a permit for a fatigue record keeping exemption, to make submissions to the Regulator.	Section 390(2)(e) <i>Heavy Vehicle National Law (Qld)</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the holder of a permit for a fatigue record keeping exemption that is amended or cancelled, to comply with a notice of the Regulator given under subsection (1).	Section 392(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the holder of a permit for a fatigue record keeping exemption that is defaced, destroyed, lost or stolen, to apply to the Regulator for a replacement permit. .	Section 393(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the owner of a fatigue-regulated heavy vehicle required by the national regulations to be fitted with an odometer, to maintain the odometer in accordance with the requirements prescribed by the national regulations.	Section 396(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the owner of a fatigue-regulated heavy vehicle that is informed under section 397 of a malfunctioning or suspected malfunctioning odometer, to ensure the odometer is examined and brought into working order.	Section 398(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the operator of a heavy vehicle, to apply to the Regulator for heavy vehicle accreditation, provide the declaration required by subsection (3) and give any further information or statutory declaration sought by the Regulator.	Section 459 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the applicant, to consent to the Regulator obtaining prescribed criminal history information.	Section 460(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power as an operator to ask the Regulator for an accreditation label for the new relevant vehicle.	Section 466(2)(a) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as the operator of a heavy vehicle, to ensure a driver who is operating under a BFM accreditation or AFM accreditation complies with subsection (1).	Section 468(3) <i>Heavy Vehicle National Law (Qld)</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation, to, if the accreditation is BFM accreditation or AFM accreditation, ensure each driver who operates under the accreditation:- (a) is inducted into the operator's relevant management system; and (b) at all times, meets the requirements relating to drivers operating under the accreditation (if any).	Section 470(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation, to, if the accreditation is AFM accreditation, ensure each driver who operates under the accreditation is informed of the AFM hours applying under the accreditation.	Section 470(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation, to keep the things listed in subsection (4).	Section 470(4) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation, to comply with a requirement issued by the Regulator under subsection (7).	Section 470(8) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation that is amended or suspended, or as an operator that ceases to hold an accreditation, to give notice to any driver of, or scheduler for, a heavy vehicle who may be affected by the amendment, suspension or cessation	Section 471(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person who holds a heavy vehicle accreditation, to apply to the Regulator for an amendment or cancellation of the heavy vehicle accreditation and give any further information sought by the Regulator.	Section 472 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person who holds a heavy vehicle accreditation, to make written representations in response to a notice given by the Regulator.	Section 473(2)(f) <i>Heavy Vehicle National Law (Qld)</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation that is amended, suspended or cancelled, to comply with a notice of the Regulator issued under subsection (1).	Section 476(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person whose accreditation certificate for a heavy vehicle accreditation is defaced, destroyed, lost or stolen, to apply to the Regulator for a replacement accreditation certificate.	Section 477(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an occupier of a place, to consent to its entry by an authorised officer, with or without conditions, and to sign and acknowledgement of the consent.	Section 504(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer to move the vehicle or cause it to be moved to a location stated in the direction.	Section 516(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer to move the vehicle or cause it to be moved to a location stated in the direction and do, or cause to be done, anything else the officer reasonably requires in the direction.	Section 517(4) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a registered operator or owner of a heavy vehicle, to comply with a notice of an authorised officer issued under subsection (2) and to request that the place or time of inspection be changed.	Sections 522(3) and (5) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle that is the subject of a self-clearing defect notice, to apply to an authorised officer for written permission for the vehicle to be used on a road during a period stated in the permission.	Section 529AA <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle that is the subject of a major defect notice or minor defect notice, to make a request to an authorised officer for written permission for the vehicle to be used on a road during a period stated in the permission.	Section 529A(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle that is the subject of a major defect notice or minor defect notice, to provide the authorised officer with evidence of adequate repairs or other measures.	Section 529A(3) <i>Heavy Vehicle National Law (Qld)</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer given under subsection (2).	Section 533(7) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer given under subsection (2).	Section 534(5) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer given under subsection (2).	Section 535(5) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as owner of a thing seized under chapter 10 and not forfeited, to apply to the relevant tribunal or court for the return of the thing.	Section 556(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person served with an embargo notice, to take all reasonable steps to stop any other person from doing anything prohibited in the notice.	Section 558(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person served with an embargo notice, to comply with a requirement stated in the notice.	Section 559(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power to seek an authorised officer's approval to tamper with an embargoed thing or anything used to restrict access to the thing and enter a place in contravention of a restriction or tamper with anything used to restrict access to a place.	Sections 559(4) and (5) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as owner of a thing or sample seized under chapter 10 and forfeited under section 561(1), to agree with the Regulator to transfer the ownership of the thing or sample to the Regulator.	Section 563 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a party mentioned in subsection (1), to apply to the relevant tribunal or court for:- (a) ownership in the thing or sample to be transferred to Council; or (b) the thing or sample to be sold and the Regulator to pay to Council, and any other persons with a registered interest in the thing or sample, an amount commensurate with the value of their respective interest.	Section 565(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a responsible person for a heavy vehicle, to comply with a requirement issued by an authorised officer under subsection (1).	Section 569(2) <i>Heavy Vehicle National Law (Qld)</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a responsible person for a heavy vehicle, to comply with a requirement issued by an authorised officer under subsection (1).	Section 570(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power to comply with a notice issued by an authorised officer under subsections (2) or (3).	Section 570A(5) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person given an improvement notice, to take the steps necessary to comply with the notice.	Section 573 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person given a direction under section 576A(2) or a prohibition notice to comply with the direction or notice.	Section 576C <i>Heavy Vehicle National Law (Qld)</i>	
Power, as an occupier of a place, to comply with a requirement issued by an authorised officer under subsections (1) or (2).	Section 577(4) <i>Heavy Vehicle National Law (Qld)</i>	
Power to claim compensation from the Regulator if Council incurs costs, damage or loss because of the exercise, or purported exercise, of a power by or for an authorised officer.	Section 581(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power to give an undertaking in relation to the contravention or alleged contravention of the Heavy Vehicle National Law by Council.	Section 590A <i>Heavy Vehicle National Law (Qld)</i>	
Power to comply with an undertaking given under section 590A.	Section 590B <i>Heavy Vehicle National Law (Qld)</i>	
Power to agree in writing with the promisee to withdraw the undertaking or change the undertaking.	Section 590C(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person to whom a supervisory intervention order applies, to apply to the Court to amend or revoke the order.	Section 603 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person to whom a supervisory intervention order applies, to take the steps necessary to comply with the order.	Section 604 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person to whom a prohibition order applies, to apply to the Court to amend or revoke the order.	Section 609 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person to whom a prohibition order applies, to take the steps necessary to comply with the order.	Section 610 <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Heavy Vehicle National Law (Qld)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a road manager, to apply to the Court for a compensation order.	Section 611(2) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager and public authority, to sign a certificate.	Section 612(2)(c) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a public authority, to give a copy of the certificate issued pursuant to section 611(2)(c) to the defendant.	Section 613(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a dissatisfied person for a reviewable decision, to apply to the Regulator for internal review of the decision.	Section 641(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person given a decision notice, but not an information notice, for the reviewable decision, to ask the Regulator for a statement of reasons for the decision.	Section 641(6)(b) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person who has made a review application for a reviewable decision, to apply for a stay of the decision and serve a copy of the application on the Regulator.	Sections 642(2) and (6) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person who has made a review application for a reviewable decision, to make representations to the reviewer.	Section 644(3) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a reviewer, to make a review decision.	Section 645(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a reviewer who is a road manager, to give a copy of the review decision to the Regulator.	Section 645(5) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a road manager and reviewer, to agree to a longer prescribed period for a review of a reviewable decision.	Section 645(6) <i>Heavy Vehicle National Law (Qld)</i>	
Power to appeal against a review decision relating to a reviewable decision made by the Regulator or an authorised officer.	Section 647(1) <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a person who appeals against a review decision, to apply to the relevant appeal body for a stay of the decision and to serve a copy of the application on the Regulator.	Sections 648(2) and (6) <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Heavy Vehicle National Law (Qld)**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a defendant for an offence, to give the complainant notice of the intention to challenge a matter stated in a certificate mentioned in section 711, 712, 713 or 714(1).	Section 715 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a defendant for an offence, to give the complainant notice of the intention to challenge a matter stated in subsection (5).	Section 722 <i>Heavy Vehicle National Law (Qld)</i>	
Power, as a defendant for an offence, to give the complainant notice of the intention to challenge a matter stated in subsection (4).	Section 724 <i>Heavy Vehicle National Law (Qld)</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Heavy Vehicle National Law Regulation 2014**

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	11/02/2015
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a road manager, to set the fee payable for a route assessment.	Section 4(2) <i>Heavy Vehicle National Law Regulation 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Housing Act 2003

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/12/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to enter a funding agreement with the Chief Executive.	Section 25(1) <i>Housing Act 2003</i>	
Power, as a funded provider, to respond to a show cause notice issued by the Chief Executive.	Section 26(2)(b) <i>Housing Act 2003</i>	
Power, as a funded provider, to comply with the prescribed requirements.	Section 34 <i>Housing Act 2003</i>	
Power, as a funded provider who has received a compliance notice, to comply with the notice.	Section 35(5) <i>Housing Act 2003</i>	
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 <i>Housing Act 2003</i>	
Power, as a registered provider, to comply with each condition applying to the registration and each applicable code provision.	Section 37D <i>Housing Act 2003</i>	
Power, as a State provider, to apply to the Registrar for the cancellation of the provider's registration.	Section 37G(1)(a) <i>Housing Act 2003</i>	
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) <i>Housing Act 2003</i>	
Power, as a registered provider, to comply with the binding instructions stated in a notice of non-compliance.	Section 38B(3) <i>Housing Act 2003</i>	
Power, as a registered provider who has received a notice of intent to cancel registration, to respond to the notice.	Section 38C(3) <i>Housing Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Housing Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a registered provider, to agree with a statutory manager about the provider performing a function exercising a power.	Section 38D(7) <i>Housing Act 2003</i>	
Power, as a registered provider, to pay the expenses of a statutory manager.	Section 38E(1) <i>Housing Act 2003</i>	
Power to consent to the release of information concerning Council by the registrar.	Section 38H(b) <i>Housing Act 2003</i>	
Power, as a funded ancillary provider, to pay the amount of an administration cost.	Section 59 <i>Housing Act 2003</i>	
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) <i>Housing Act 2003</i>	
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 <i>Housing Act 2003</i>	
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) <i>Housing Act 2003</i>	
Power, as a registered provider, to ensure that a suitably qualified officer attends a meeting with the Registrar.	Section 81A(1) <i>Housing Act 2003</i>	
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 <i>Housing Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

#### Housing Regulation 2015

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/12/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a funded provider, to use the funding or receipts in a way that complies with the funding agreement.	Section 7 <i>Housing Regulation 2015</i>	
Power, as a funded provider, to repay the amount to the Chief Executive.	Section 8(3) <i>Housing Regulation 2015</i>	
Power, as a funded provider, to pay the amount stated in the payment notice to the Chief Executive.	Section 9(4) <i>Housing Regulation 2015</i>	
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 <i>Housing Regulation 2015</i>	
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 <i>Housing Regulation 2015</i>	
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) <i>Housing Regulation 2015</i>	
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) <i>Housing Regulation 2015</i>	
Power, as a funded provider that receives funding to provide an ancillary housing service, to keep an eligibility policy and implement the eligibility policy consistently and fairly.	Section 16(2) <i>Housing Regulation 2015</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Housing Regulation 2015

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Housing Regulation 2015</i>	
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) <i>Housing Regulation 2015</i>	
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 <i>Housing Regulation 2015</i>	
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) <i>Housing Regulation 2015</i>	
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 <i>Housing Regulation 2015</i>	
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) <i>Housing Regulation 2015</i>	
Power, as an accommodation provider, to comply with a condition imposed by the Chief Executive.	Section 37(6) <i>Housing Regulation 2015</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO *Human Rights Act 2019*

<b>Document Reviewed:</b>	26/02/2020
<b>Reprint:</b>	1/01/2019
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	New Reprint. No changes

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

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**  
**Human Rights Act 2019**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a party to a complaint, to seek the consent of the commissioner to be represented by another person.	Section 83(1) <i>Human Rights Act 2019</i>	
Power to make submissions to the commissioner about a proposed adverse comment in a report prepared under section 88 or part 4, division 3.	Section 93(2) <i>Human Rights Act 2019</i>	
Power to comply with a notice, issued by the commissioner pursuant to subsection 98(1), to provide information.	Section 98(3) <i>Human Rights Act 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Industrial Relations Act 2016

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	02/10/2020
<b>Updated:</b>	
<b>New:</b>	354B, 354C(2), 354C(5)
<b>Removed:</b>	
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer, to ask or require an employee to work additional hours if the hours are reasonable under section 26.	Section 23(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree with an employee who is not covered by an applicable industrial instrument, to an averaging arrangement.	Section 25(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to decide an employee's request for flexible working arrangements with or without conditions.	Sections 28(1) and (2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to give written notice of the decision on an employee's request for flexible working arrangements.	Section 28(3) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree when an employee is to take annual leave.	Section 33(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, and where the employer and employee cannot agree when the employee is to take annual leave, to decide when the employee is to take the leave and give the applicable notice to the employee.	Section 33(3) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree that an employee may take annual leave before becoming entitled to it.	Section 33(4) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to pay the employee for annual leave otherwise than in advance.	Section 35(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree that an employee may cash out a particular amount of annual leave.	Section 37(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to pay an employee for annual leave not taken on termination of employment.	Section 38(3) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee taking additional unpaid carer's leave.	Section 42(4) <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

#### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer, to agree to an employee who is a short term casual taking additional unpaid carer's leave.	Section 43(3) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee who is a long term casual taking additional unpaid carer's leave.	Section 44(3) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to require an employee to give a doctor's certificate or statutory declaration as evidence of the need to take carer's leave for more than 2 consecutive days.	Section 45(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to require an employee to give a statutory declaration or evidence mentioned in section 45(3)(a) to (d) as evidence of the need to take carer's leave to care for or support a person who has experienced domestic violence.	Section 45(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to require an employee to give a copy of a funeral notice or other evidence as evidence of a death resulting in the taking of bereavement leave.	Section 49(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to require an employee to give evidence to satisfy a reasonable person that the employee was taking compassionate leave because the life of a member of the employee's family or household was threatened by personal illness or personal injury.	Section 49(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee taking additional unpaid bereavement leave or compassionate leave.	Section 50 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee taking unpaid cultural leave	Section 51(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee taking additional unpaid domestic and family violence leave.	Section 52(5) <i>Industrial Relations Act 2016</i>	
Power, as the employer, and where an employee has claimed domestic and family violence leave, to ask the employee for evidence that the employee has experienced domestic violence and needs to take leave as a result.	Section 54(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to inform the employee his/her entitlements and obligations under chapter 2, part 3, division 8.	Section 71(2) <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer that has decided to implement significant change at a workplace, to advise employees on parental leave about the proposed change before it is implemented and give each employee reasonable opportunity to discuss any significant effect the change will have on the employee's position.	Section 72 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee entitled to parental leave under subdivision 2, or who is taking parental leave, making more than 1 application under subsection (1) within a 12-month period in relation to a particular instance of parental leave.	Section 73(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee on parental leave, making more than 1 application under subsection (1) within a 12-month period.	Section 74(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to decide an application by an employee entitled to or taking parental leave to extend parental leave if the circumstances of section 73 exist, to discuss the application and to give written notice of that decision.	Section 76 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to decide an application by an employee on parental leave to return to work on a part-time basis pursuant to section 74, to discuss the application and to give written notice of that decision.	Section 76 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to nominate a time for the employee to resume work.	Section 78(3) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee taking paid sick leave or other paid leave whilst the employee is on unpaid parental leave.	Section 79(3) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee on parental leave performing work on a keeping in touch day.	Section 80(1)(b) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree that an employee break the period of parental leave by returning to work.	Section 81 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee on parental leave shortening the period of leave.	Section 83 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to give notice to the employee of the day on which the employee must return to work and, if the employee returns to work, to cancel the rest of the parental leave.	Section 84 <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

#### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer of a female employee whose present work is, because of her pregnancy or breastfeeding, a risk to the health or safety of the employee or her unborn or newborn child, to temporarily adjust the employee's working conditions or hours of work, or transfer the employee to other appropriate work.	Section 89 <i>Industrial Relations Act 2016</i>	
Power, as the employer of a replacement employee, to give the replacement employee written notice of the temporary nature of the employment and the parent's right to return to work.	Section 92(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree when an employee is to take long service leave.	Section 97(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, and where the employer and employee cannot agree when the employee is to take long service leave, to decide when the employee is to take the leave and give the applicable notice to the employee.	Section 97(3) <i>Industrial Relations Act 2016</i>	
Power, as the employer, where the employee is on long service leave and where the ordinary rate is increased or reduced, to pay the employee at the increased or reduced rate for the leave period to which the increased or reduced rate applies.	Section 98(4) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree on when, and the way in which, the employee will be paid for long service leave.	Section 101 <i>Industrial Relations Act 2016</i>	
Power, as the employer of a casual or regular part-time employee, to agree that the employee's entitlement to long service leave may be taken in the form of its full time equivalent.	Section 104 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree in writing with the employee that the employee be paid for all or part of an entitlement to long service leave instead of taking the leave.	Section 110(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, upon an employee's death, to pay the employee's legal personal representative any amount payable for the employee's entitlement to long service leave that has not already been paid.	Section 111(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to ask an employee to work on a public holiday if the request is reasonable.	Section 116(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to dismiss an employee if the circumstances of section 121(1) exist.	Section 121(1) <i>Industrial Relations Act 2016</i>	

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### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer who obtains other acceptable employment for the employee or cannot pay the amount, to apply to the commission for an order reducing the amount of the redundancy pay to a stated amount the commission considers appropriate.	Section 127(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to give each employee before, or as soon as practicable after, the employee starts working for the employer, the information and documents required by section 129(1).	Section 129 <i>Industrial Relations Act 2016</i>	
Power, as the employer, where a magistrate has made an order about an offence against section 137(4) and that order states both alternatives of section 137(8), to decide how to comply with that order in terms of the alternatives.	Section 137(9) <i>Industrial Relations Act 2016</i>	
Power, as an employer, to apply to the commission to:- (a) make a modern award; or (b) make an order varying a modern award.	Section 147(2)(b) <i>Industrial Relations Act 2016</i>	
Power, as an employer, to apply to the commission to make an order revoking a modern award.	Section 150(3)(b)(iii) <i>Industrial Relations Act 2016</i>	
Power, as a person to whom a modern award applies, to apply to the commission to review the award.	Section 156(1)(b)(i) <i>Industrial Relations Act 2016</i>	
Power, as an employer, to make a certified agreement with 1 or more employee organisations that represent, or are entitled to represent, Council's employees, or the employees of Council at the time the agreement is made.	Section 165 <i>Industrial Relations Act 2016</i>	
Power, as an employer, to consent to the making of a bargaining award.	Section 167(a) <i>Industrial Relations Act 2016</i>	
Power, as a proposer, to give a notice of intention to:- (a) the other proposed parties to the negotiations; (b) if the negotiations relate to a project agreement— all relevant employee organisations and the commission.	Section 169(2) <i>Industrial Relations Act 2016</i>	
Power, as a recipient of a notice of intention where the negotiations:- (a) relate to a project agreement; or (b) involve a multi-employer agreement, to give written notice of Council's intention to be a party to the negotiations to the proposer and the commission.	Section 170(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer and where the circumstances of section 171(1) exist, to take reasonable steps to ensure compliance with section 171(2).	Section 171(2) <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer and where the circumstances of section 171(1) exist, to give the relevant employee organisation a reasonable opportunity to represent the employee as required by section 171(4).	Section 171(4) <i>Industrial Relations Act 2016</i>	
Power, as the employer and where the circumstances of section 172(1) exist, to negotiate with the single bargaining unit.	Section 172(2) <i>Industrial Relations Act 2016</i>	
Power, as negotiating party, to negotiate in good faith and do all things listed in subsections (2) and (3).	Section 173 <i>Industrial Relations Act 2016</i>	
Power, as negotiating party, where the peace obligation period has ended, to ask the commission to help the parties reach an agreement.	Section 175(1)(b) <i>Industrial Relations Act 2016</i>	
Power, as one of the negotiating parties, to notify the commission that the parties intend to resume negotiating without the commission's help.	Section 175(2) <i>Industrial Relations Act 2016</i>	
Power, as a negotiating party, to comply with an attendance notice and negotiate on Council's behalf at a conciliation conference.	Section 176(2) <i>Industrial Relations Act 2016</i>	
Power, as one of the negotiating parties, to apply to the commission for arbitration of the matter.	Section 178(1) <i>Industrial Relations Act 2016</i>	
Power, as one of the negotiating parties, to agree matters with the other negotiating parties before or during an arbitration of the matter.	Section 181(1) <i>Industrial Relations Act 2016</i>	
Power, as a negotiating party, to agree with the other negotiating parties the nominal expiry date for the arbitration determination.	Section 183(1) <i>Industrial Relations Act 2016</i>	
Power, as a negotiating party, to apply to the commission for a scope order.	Section 184(1) <i>Industrial Relations Act 2016</i>	
Power, as a party to an agreement, to apply to the commission to certify the agreement.	Section 189(1) <i>Industrial Relations Act 2016</i>	
Power, as a party to a proposed bargaining award, to apply to the commission to:- (a) make the bargaining award; and (b) terminate the relevant modern award.	Section 190(2) <i>Industrial Relations Act 2016</i>	
Power, as a person who will be covered by a proposed bargaining instrument, to take action that may be necessary to enable the commission to grant the application, including participating in a conciliation on Council's behalf.	Section 194 <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a party to a proposed bargaining instrument, to sign it on Council's behalf.	Section 196(1)(b) <i>Industrial Relations Act 2016</i>	
Power, as an employer in the circumstances set out in subsection (1), to apply to the commission for a decision under subsection (3).	Section 213(3) <i>Industrial Relations Act 2016</i>	
Power, as the employer, on or before the nominal expiry date of a bargaining instrument, to, apply to the commission to extend the nominal expiry date.	Section 223(1) <i>Industrial Relations Act 2016</i>	
Power, as an employer, to apply to the commission to amend a bargaining instrument.	Section 225(1) <i>Industrial Relations Act 2016</i>	
Power, as an approving party, to approve an amendment to a bargaining instrument.	Section 225(2)(a)(i) <i>Industrial Relations Act 2016</i>	
Power, as a person to whom a bargaining instrument applies, to apply to the commission to amend the instrument in one of the ways set out in subsection (5) and to agree to any amendment.	Section 225(5) <i>Industrial Relations Act 2016</i>	
Power, as a party to a bargaining award or a proposed new party to the award, to, in the circumstances set out in subsection (1), apply to the commission to amend the bargaining award so the award applies to the proposed new party.	Section 226(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, on or before the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.	Section 227(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, after the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.	Section 228(1) <i>Industrial Relations Act 2016</i>	
Power, as the person who intends to terminate the agreement or determination to give all other persons to whom the agreement or determination applies, notice of the intention.	Section 228(2) <i>Industrial Relations Act 2016</i>	
Power, as a party to an agreement or determination that does not provide for the way it may be terminated, to agree to the agreement or determination being terminated.	Section 228(3)(b)(i) <i>Industrial Relations Act 2016</i>	
Power, as a negotiating party for a proposed bargaining instrument, to take protected industrial action for the proposed instrument subject to the requirements of Chapter 4, Part 8.	Section 232 <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer intending to take the industrial action, to give notice of the intention to all of the negotiating parties for the proposed bargaining instrument, either in writing or by taking other reasonable steps to notify employees of the intended action.	Section 236 <i>Industrial Relations Act 2016</i>	
Power, as the employer taking industrial action that is the lockout of an employee, to refuse to pay the employee for the period of the lockout.	Section 237(3) <i>Industrial Relations Act 2016</i>	
Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, or threatened to be engaged in.	Section 240(1) <i>Industrial Relations Act 2016</i>	
Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, where the industrial action has threatened, is threatening or would threaten:- (a) to endanger the life, personal safety or health, or welfare of the State's population or part of it; or (b) to cause significant damage to the State's economy or an important part of it.	Section 241(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to apply to the registrar for a certificate stating that the employer need not negotiate with an employee organisation under chapter 4 because of a circumstance in section 171(5).	Section 242(2) <i>Industrial Relations Act 2016</i>	
Power, as a party to a certified agreement or a bargaining award, to sign the affidavit prepared pursuant to subsection (2) on behalf of Council.	Section 250(3) <i>Industrial Relations Act 2016</i>	
Power, as a relevant party subject to a direction of the commission, to comply with the direction on behalf of Council, including signing any affidavit required under subsection (3).	Section 251(4) <i>Industrial Relations Act 2016</i>	
Power, as a party to an industrial dispute, in the circumstances referred to in subsection (1), to give the registrar written notice of the dispute.	Section 261(1) <i>Industrial Relations Act 2016</i>	
Power, as a party directly involved in an industrial cause, to request the registrar act as mediator in the cause.	Section 263(a) <i>Industrial Relations Act 2016</i>	
Power, as a person served with an attendance notice, to attend the compulsory conference and agree to measures which attempt to prevent or settle the dispute.	Section 264(1) <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a person the subject of an order, to prepare, file and sign an affidavit under subsection (3)(c).	Section 265(3) <i>Industrial Relations Act 2016</i>	
Power, as a person served with a show cause notice, to show cause to the full bench at the stated time why Council should not be dealt with under section 266.	Section 265(7) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to pay or refuse to pay, an employee for a period when the employee engages in a strike.	Section 268(1) <i>Industrial Relations Act 2016</i>	
Power, as an employer against whom the strike was organised, engaged in or threatened, to make an application to the commission for an order for a contravention of section 268.	Section 269(2) <i>Industrial Relations Act 2016</i>	
Power, as a person who has been affected by a contravention of Chapter 8, Part 1, to apply to the commission for the commission to deal with the dispute.	Section 309(1) <i>Industrial Relations Act 2016</i>	
Power, as an applicant or an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.	Section 312(2) <i>Industrial Relations Act 2016</i>	
Power, as an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.	Section 318(2) <i>Industrial Relations Act 2016</i>	
Power, as a party, to seek further conciliation, or settle the matter, at any time before an order is made under section 321 or 322.	Section 318(5) <i>Industrial Relations Act 2016</i>	
Power, as the employer that has decided to dismiss 15 or more employees for economic, technological or structural reasons, to dismiss the employees if the circumstances of section 329(1) apply and give the requisite notices.	Section 329(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to give each employee organisation the opportunity to consult on the ways listed in section 330(1).	Section 330 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to stand down an employee if the circumstances of section 333 apply.	Section 333 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to apply to the commission for an authorised officer's authority under section 337 to be revoked or suspended.	Section 338(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to keep a time and wages record for each industrial instrument employee as required by section 339.	339(1) <i>Industrial Relations Act 2016</i>	

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# REGISTER OF DELEGATIONS

## COUNCIL TO CEO

### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 339(1)(d) for the employee, worked out to the previous 30 June.	Section 339(5) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to keep a time and wages record for each non-industrial instrument employee as required by section 340.	340(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 340(1)(d) for the employee, worked out to the previous 30 June.	Section 340(5) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to keep an employee register as required by section 341.	341(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, when paying an employee wages, to give the employee a written statement as required by section 343(2).	343(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, when asked by the inspector to inspect, or for electronic access to, the time and wages record, to comply with the request.	344(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, when asked by the registrar to inspect, or for electronic access to, the time and wages record, to comply with the request.	346(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, when directed by the registrar, to give the employee register or index to a stated person, at a stated reasonable time and place.	346(4) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee inspecting the time and wages record for that employee's particulars, as permitted by section 347(2)(a) and (b), and to give the particulars to the employee in writing.	Section 347 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to agree to an employee inspecting the time and wages record:- (a) more than once in any 12-month period; or (b) outside the employer's business hours; or (c) during the employee's working time.	Section 347(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to require an authorised officer to produce the officer's authorisation.	Section 348(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, where an authorised officer fails to produce the officer's authorisation, to treat the office as a trespasser.	Section 348(5) <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

#### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer, when asked by the authorised officer for an item in section 350(1), to comply with the request and to refuse to comply if the circumstances of section 350(3) or 350(5) exist.	Section 350 <i>Industrial Relations Act 2016</i>	
Power, as the employer, keep an authorisation given under this section at, or in a place where it can be accessed from, a workplace of the employer in Queensland.	Section 354B <i>Industrial Relations Act 2016</i>	
Power, as the employer in the circumstances set out in subsection 354C(1), to give the information referred to in subsection 354C(2).	Section 354C(2) <i>Industrial Relations Act 2016</i>	
Power, as an employer who has given information to the registered employee organisation under subsection 354C(2)(a), to notify the employee.	Section 354C(5) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to keep an accurate written account of the amounts received from the prime contractor, and of the way the amounts have been disbursed or disposed of.	Section 359(4) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to produce the account for inspection to an employee in the circumstances set out in subsection (a) to (c) and allow the employee to make a copy of the account.	Sections 359(5) and (6) <i>Industrial Relations Act 2016</i>	
Power, as a prime contractor served with an attachment notice, to keep from the amounts payable, or to become payable, by the prime contractor to the employer for the contracted work, an amount sufficient to satisfy:- (a) the claim for wages stated in the notice; and (b) all further claims for wages stated in notices of attachment served on the prime contractor within 7 days after the service of the first notice.	Section 361(2) <i>Industrial Relations Act 2016</i>	
Power, as a prime contractor served with an attachment notice, to pay the amount to which the notice relates to a clerk of the Magistrates Court.	Section 361(4) <i>Industrial Relations Act 2016</i>	
Power, as a prime contractor, to pay the amount stated in the relevant order to the employee from the amounts attached and kept in the hands of the prime contractor.	Section 362(4) <i>Industrial Relations Act 2016</i>	
Power, as a prime contractor, to ask the employee to sign a discharge for the amount paid for a claim for wages to which an order under section 362 relates.	Section 366 <i>Industrial Relations Act 2016</i>	
Power, as the employer, where an employee's consent authorising a deduction to be made from wages is not written, to, before making the deduction, give the employee written acknowledgement of the consent.	Section 371(5) <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer, to pay each employee's wages at least monthly to the employee.	Section 373(1) <i>Industrial Relations Act 2016</i>	
Power, as the employer, where the circumstances in subsection (1) apply, to immediately at the end of the 30 days, pay the wages payable to the former employee to the nearest clerk of the Magistrates Court.	Section 375(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, to recover an amount to which the employee is not entitled by deducting amounts from the employee's wages for a subsequent pay period or periods.	Section 376(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, where an employee ceases employment without giving the employer the notice required by an industrial instrument, to deduct from the employee's wages an amount stated by an industrial instrument.	Section 377 <i>Industrial Relations Act 2016</i>	
Power, as the employer, to contribute, for eligible employees, to the approved superannuation fund at the level required by the relevant industrial instrument.	Section 394(1) <i>Industrial Relations Act 2016</i>	
Power, as a person who may be directly affected by the declaration, to apply to the commission for a declaration about an industrial matter.	Section 463(1) <i>Industrial Relations Act 2016</i>	
Power, as an employer, to apply to the commission for an interpretation of an industrial instrument, other than a certified agreement or bargaining award.	Sections 467(1) and 468(1) <i>Industrial Relations Act 2016</i>	
Power, as a person bound by the agreement, to apply to the commission for an interpretation of a certified agreement or bargaining award.	Sections 467(1) 468(2) <i>Industrial Relations Act 2016</i>	
Power, as a party to an industrial cause, to agree in writing to the parties requesting the commission to assist the parties in negotiating or resolving a matter relevant to the industrial cause, whether or not the matter is within the jurisdiction of the commission and to agree that the request being amended.	Sections 469(1) and (2) <i>Industrial Relations Act 2016</i>	
Power, as a party to an industrial cause, to agree, in writing, for the decision of the commission to bind the parties.	Section 469(4) <i>Industrial Relations Act 2016</i>	
Power, as a party to a dispute, to make a referral agreement with the other parties to the dispute.	Section 470(1)(b) <i>Industrial Relations Act 2016</i>	
Power, as a party to a dispute, in the circumstances set out in subsection (1), to apply to the commission for the commission to perform its dispute resolution functions.	Section 470(2) <i>Industrial Relations Act 2016</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a party to a contract, in the circumstances set out in subsection (1), to apply to the commission for the commission to amend or declare void (wholly or partly) the contract.	Section 471(1) <i>Industrial Relations Act 2016</i>	
Power, as a person under section 474, to apply to the commission for the commission to grant an injunction:- (a) to compel compliance with an industrial instrument, a permit or this Act; or (b) to restrain or prevent a contravention, or continuance of a contravention, of an industrial instrument, a permit or this Act.	Section 473(1) <i>Industrial Relations Act 2016</i>	
Power, as an employer, to apply to the full bench for the orders set out in section 479 about a demarcation dispute.	Section 479 <i>Industrial Relations Act 2016</i>	
Power, as a person mentioned in section 485, to apply to the full bench or the commission for proceedings to be reopened.	Section 484(1) <i>Industrial Relations Act 2016</i>	
Power, as a party to proceedings, to appoint in writing, an agent to represent Council in the proceedings.	Section 529(1)(a) <i>Industrial Relations Act 2016</i>	
Power, as a person aggrieved by a decision of the court or the full bench constituted by the president and 2 or more other members, to appeal to the Court of Appeal.	Section 554(1) <i>Industrial Relations Act 2016</i>	
Power, as a person aggrieved by a decision of the full bench constituted by the president and 2 or more other members, to seek the leave of the Court of Appeal to appeal.	Section 554(2) <i>Industrial Relations Act 2016</i>	
Power, as a person aggrieved by a decision of a magistrate, to appeal to the court.	Section 556 <i>Industrial Relations Act 2016</i>	
Power, as a person aggrieved by a decision of the commission, to appeal to the court.	Section 557(1) <i>Industrial Relations Act 2016</i>	
Power, as a person aggrieved by a decision of the commission, to seek the leave of the court to appeal.	Section 557(2) <i>Industrial Relations Act 2016</i>	
Power, as a person aggrieved by a decision of the registrar, to appeal to the full bench.	Section 560(1) <i>Industrial Relations Act 2016</i>	
Power, as a person aggrieved by a decision of the registrar, to seek the leave of the full bench to appeal.	Section 560(2) <i>Industrial Relations Act 2016</i>	
Power to apply to the industrial tribunal to allow a longer period in which to start an appeal.	Section 564(2) <i>Industrial Relations Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Industrial Relations Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a person mentioned in column 2 of schedule 3, to apply to the relevant industrial tribunal for an order in relation to a contravention, or alleged contravention, of a civil penalty provision.	Section 572 <i>Industrial Relations Act 2016</i>	
Power, as a person subject to a requirement from an inspector to produce a document, to comply with the requirement.	Section 912(2) <i>Industrial Relations Act 2016</i>	
Power, as an employer subject to a written demand by an inspector under subsection (1), to comply with the demand.	Section 915(2) <i>Industrial Relations Act 2016</i>	
Power, as an employer, to pay wages payment to an employee under the Act, a relevant industrial instrument or a permit, in accordance with the employee's written direction.	Section 928(1)(b) <i>Industrial Relations Act 2016</i>	
Power, as the employer in a workplace where an industrial instrument applies, to display a copy of the industrial instrument as required by section 934(2).	Section 934(2) <i>Industrial Relations Act 2016</i>	
Power, as the employer, where a person whose employment with the employer has been terminated has asked for a certificate described in section 935(1), to give the certificate.	Section 935(2) <i>Industrial Relations Act 2016</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Industrial Relations Regulation 2018

<b>Document Reviewed:</b>	24/06/2020
<b>Reprint:</b>	29/02/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the employer, when working out continuous service under section 123(1) of the <i>Industrial Relations Act 2016</i> , to notify the employee that another absence from work breaks the employee's continuous service.	Section 4(1)(c) <i>Industrial Relations Regulation 2018</i>	
Power, as the employer, when working out continuous service under section 123(1) of the <i>Industrial Relations Act 2016</i> , to withdraw a notice to the employee given under section 4(1)(c)	Section 4(5)(b) <i>Industrial Relations Regulation 2018</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Information Privacy Act 2009

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	01/07/2019
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as agency, to transfer an individual's personal information to an entity outside Australia under certain circumstances.	Section 33 <i>Information Privacy Act 2009</i>	
Power, as agency, to enter into a service arrangement with an entity other than an agency to provide services.	Section 34 <i>Information Privacy Act 2009</i>	
Power, as agency, to give access to a document created after the application for access is received.	Section 47 <i>Information Privacy Act 2009</i>	
Power, as agency, to search for a document on a backup system if it considers the search is appropriate.	Section 49 <i>Information Privacy Act 2009</i>	
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) <i>Information Privacy Act 2009</i>	
Power, as agency, to contact the person and tell them how the application does not comply with a relevant application requirement.	Section 53(2) <i>Information Privacy Act 2009</i>	
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) <i>Information Privacy Act 2009</i>	
Power, as agency, to give prescribed written notice of the decision.	Section 53(6) <i>Information Privacy Act 2009</i>	
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	Section 54 <i>Information Privacy Act 2009</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Information Privacy Act 2009

<p>(b) reasonable efforts have been made to inform the applicant that the application:</p> <ul style="list-style-type: none"> <li>(i) cannot be made under the <i>Information Privacy Act 2009</i>; and</li> <li>(ii) should be made under the <i>Right to Information Act</i>; and</li> <li>(iii) may be changed so it can be made under the <i>Information Privacy Act 2009</i>, or may be dealt with under the <i>Right to Information Act</i> by paying the application fee.</li> </ul>		
<p>Power, as agency, at any time before a deemed decision is taken to have been made in relation to an access or amendment application, to ask applicant for a further specified period to consider the application.</p> <p>Note: more than one request can be made (section 55(2) <i>Information Privacy Act 2009</i>).</p>	Section 55(1) <i>Information Privacy Act 2009</i>	
<p>Power, as agency, to continue to consider an access or amendment application, if a further specified period has been requested under section 55(1), the applicant has not refused the request, and no notice that the applicant has applied for review has been received.</p>	Section 55(3) <i>Information Privacy Act 2009</i>	
<p>Power, as agency, to give access to a document that contains information the disclosure of which may reasonably be expected to be of concern to a government, agency, or person (a "relevant third party"), <u>only</u> if reasonably practicable steps are taken to obtain the relevant third party's views on whether:</p> <ul style="list-style-type: none"> <li>(a) the document is a document for Chapter 3 of the <i>Information Privacy Act 2009</i> (document of an agency or a Minister under the <i>Right to Information Act</i>); or</li> <li>(b) the information is exempt information or contrary to public interest information.</li> </ul>	Section 56(1) <i>Information Privacy Act 2009</i>	
<p>Power, as agency, to transfer an access or amendment application to another agency if the document is not in the original agency's possession, but is, to the original agency's knowledge, in the other agency's possession, and the other agency consents.</p>	Section 57(2) <i>Information Privacy Act 2009</i>	
<p>Power, as agency, to refuse to deal with the application without having identified any or all of the documents, if the documents contain information of a stated kind or relate to a stated subject matter and it appears that all of the documents are comprised of exempt</p>	Section 59 <i>Information Privacy Act 2009</i>	

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### Information Privacy Act 2009

information (as defined in Schedule 3 of the <i>Right to Information Act</i> ).		
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) <i>Information Privacy Act 2009</i>	
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 2009</i> ; and (b) a reasonable opportunity to consult.	Section 61(1) <i>Information Privacy Act 2009</i>	
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) <i>Information Privacy Act 2009</i>	
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) <i>Information Privacy Act 2009</i>	
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 <i>Information Privacy Act 2009</i>	
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) <i>Information Privacy Act 2009</i>	
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) <i>Information Privacy Act 2009</i>	

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### Information Privacy Act 2009

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 2009</i> .	Section 68(3) <i>Information Privacy Act 2009</i>	
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 2009</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 2009</i> to the extent it comprised prescribed information.	Section 69(2) <i>Information Privacy Act 2009</i>	
Power, as agency, after considering an amendment application, to decide whether amendment of the document is permitted.	Section 70 <i>Information Privacy Act 2009</i>	
Power, as agency, to give an applicant for an amendment application a prescribed written notice of the decision on the application.	Section 73(1) <i>Information Privacy Act 2009</i>	
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 2009</i> .	Section 73(2) <i>Information Privacy Act 2009</i>	
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 2009</i> .	Section 73(3) <i>Information Privacy Act 2009</i>	
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 <i>Information Privacy Act 2009</i>	
Power, as agency, to waive an access charge.	Sections 80, 81 and 82 <i>Information Privacy Act 2009</i>	
Power, as agency, to refuse to give access to a document in a form requested, if it would: <ul style="list-style-type: none"> <li>(a) interfere unreasonably with Council's operations, or</li> <li>(b) be detrimental to the preservation of the document, or</li> <li>(c) be inappropriate having regard to the physical nature of the document; or</li> </ul>	Section 83(4) <i>Information Privacy Act 2009</i>	

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### Information Privacy Act 2009

(d) involve an infringement of the copyright of a person other than the State, and give access in another form.		
Power, as agency, to extend the period in which an applicant may access a document.	Section 84(2) <i>Information Privacy Act 2009</i>	
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 <i>Information Privacy Act 2009</i>	
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 <i>Information Privacy Act 2009</i>	
Power, as agency, to give access to a copy of a document from which the exempt information has been deleted.	Section 89 <i>Information Privacy Act 2009</i>	
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 <i>Information Privacy Act 2009</i>	
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 2009</i> .	Section 92(2) <i>Information Privacy Act 2009</i>	
Power, as agency, to conduct a particular further search or to conduct further searches directed by the information commissioner.	Section 115 <i>Information Privacy Act 2009</i>	
Power, as agency, to apply to the information commissioner for declaration that a person is a vexatious applicant.	Section 127 <i>Information Privacy Act 2009</i>	
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 <i>Information Privacy Act 2009</i>	
Power, as agency, to ask the information commissioner to extend the time within which to take action stated in a compliance notice.	Section 159 <i>Information Privacy Act 2009</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Information Privacy Act 2009**

Power, as agency, to apply to QCAT, as provided under the <i>QCAT Act</i> , for review of the information commissioner's decision to give a compliance notice.	Section 161(1) <i>Information Privacy Act 2009</i>	
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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Labour Hire Licensing Act 2017

<b>Document Reviewed:</b>	24/06/2020
<b>Reprint:</b>	17/04/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply for a licence to provide labour hire services.	Section 13(1) <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to apply for renewal of the licence before it expires.	Section 18(1) <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to withdraw an application for renewal of a licence.	Section 18(3)(b) <i>Labour Hire Licensing Act 2017</i>	
Power to apply for restoration of the licence after it has expired.	Section 19(1) <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to give a written response to a show cause notice that proposes to cancel the licence.	Section 23(2) <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to return a suspended or cancelled licence to the chief executive.	Section 25(1) <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to surrender the licence.	Section 26(1) <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to comply with conditions imposed on a licence.	Section 29 <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to give a written response to a proposed condition or variation of a licence.	Section 30(1)(c) <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to give the chief executive a report that complies with sections 31 and 32.	Section 31(1) <i>Labour Hire Licensing Act 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Labour Hire Licensing Act 2017

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a licensee, to apply to the chief executive to remove and appoint nominated officers for the licence.	Section 35 <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to substitute a nominated officer for a limited period if the circumstances of section 36(1) exist.	Section 36 <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to apply to the chief executive to extend the appointment of a substitute nominated officer.	Section 37 <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to produce a copy of the licence for inspection by an inspector, worker or other person on request.	Section 38 <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to give the chief executive notice of a prescribed change in circumstances of the licensee.	Section 40 <i>Labour Hire Licensing Act 2017</i>	
Power, as an applicant, to give the chief executive information the chief executive reasonably requires to decide the application.	Section 41(2) <i>Labour Hire Licensing Act 2017</i>	
Power, as an applicant, to consent to the chief executive entering and inspecting Council's place of business for the purpose of ascertaining whether Council is a fit and proper person to provide labour hire services.	Section 42(3)(b) <i>Labour Hire Licensing Act 2017</i>	
Power, as a licensee, to give the chief executive the information required in a notice given under section 43.	Section 43 <i>Labour Hire Licensing Act 2017</i>	
Power, as an occupier, to consent to entry of Council's premises by an inspector and to sign an acknowledgement of the consent.	Section 60(1) <i>Labour Hire Licensing Act 2017</i>	
Power, as an occupier, to comply with a help requirement given by an inspector.	Section 69(2) <i>Labour Hire Licensing Act 2017</i>	
Power, as an owner of a seized thing, to apply to the chief executive for its return.	Section 79(3) <i>Labour Hire Licensing Act 2017</i>	
Power, as an owner of a seized thing, to agree, in writing, to the transfer of the ownership of the thing to the State.	Section 82(b) <i>Labour Hire Licensing Act 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Labour Hire Licensing Act 2017

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to claim compensation from the State if loss is incurred because of the exercise, or purported exercise of a power by or for an inspector.	Section 87(1) <i>Labour Hire Licensing Act 2017</i>	
Power, as a person who has been given or is entitled to be given an information notice for a decision, to apply for review of the decision.	Section 93(1) <i>Labour Hire Licensing Act 2017</i>	
Power, as an interested person, to apply for review of a decision listed in section 93(2).	Section 93(2) <i>Labour Hire Licensing Act 2017</i>	
Power, as an applicant mentioned in section 93(1), to apply to QCAT for a stay of the decision.	Section 96(2) <i>Labour Hire Licensing Act 2017</i>	
Power, as an organisation given a QCAT information notice, to apply to QCAT for a review of the decision.	Section 98(1) <i>Labour Hire Licensing Act 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Land Access Ombudsman Act 2017

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	24/05/2019
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to refer a land access dispute to the land access ombudsman.	Section 32(1) <i>Land Access Ombudsman Act 2017</i>	
Power to resolve a land access dispute.	Section 32(2) <i>Land Access Ombudsman Act 2017</i>	
Power, as a party to a land access dispute, to provide reasonable help to the land access ombudsman in the conduct of reasonably necessary inquiries.	Section 35(2) <i>Land Access Ombudsman Act 2017</i>	
Power to comply with a direction from the land access ombudsman to make a reasonable attempt to resolve the land access dispute with the other party.	Section 37(2) <i>Land Access Ombudsman Act 2017</i>	
Power, by notice given to the land access ombudsman, and in compliance with the requirements for withdrawal under a procedural guideline made under section 65, to withdraw a land access dispute referral.	Section 39(1) and (2) <i>Land Access Ombudsman Act 2017</i>	
Power, as a party to a land access dispute, to comply with a request from the land access ombudsman, to give the ombudsman a stated document or information at a stated reasonable time and place; or access to a stated document or information.	Section 42(4) <i>Land Access Ombudsman Act 2017</i>	
Power, as a party to a land access dispute, to comply with a notice from the land access ombudsman, requiring attendance at a meeting with the land access ombudsman at a stated reasonable time and place, and answer questions.	Section 43(2) <i>Land Access Ombudsman Act 2017</i>	
Power, as a party to a land access dispute, to seek the leave of the land access ombudsman to be represented by someone at a meeting.	Section 43(4) <i>Land Access Ombudsman Act 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Land Access Ombudsman Act 2017

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to consent to the land access ombudsman entering land the subject of a dispute about a conduct and compensation agreement.	Section 45(1) <i>Land Access Ombudsman Act 2017</i>	
Power to consent to the land access ombudsman entering land the subject of a dispute about a make good agreement.	Section 45(2) <i>Land Access Ombudsman Act 2017</i>	
Power to impose conditions upon the land access ombudsman's entry to the disputed land and to withdraw consent for the land access ombudsman to enter disputed land.	Section 45(3) <i>Land Access Ombudsman Act 2017</i>	
Power, if consent is given for the land access ombudsman to enter disputed land, to sign an acknowledgement of the consent.	Section 49(1) <i>Land Access Ombudsman Act 2017</i>	
Power to make submissions to the land access ombudsman in response to the draft notice about the investigation.	Section 51(4) <i>Land Access Ombudsman Act 2017</i>	
Power to make submissions to the land access ombudsman about the proposed action.	Section 53(4) <i>Land Access Ombudsman Act 2017</i>	
Power to make a submissions to the land access ombudsman about action to be taken under section 54(2).	Section 54(4) <i>Land Access Ombudsman Act 2017</i>	
Power to make a submission to the land access ombudsman about action to be taken under section 55(2).	Section 55(4) <i>Land Access Ombudsman Act 2017</i>	
Power to inspect a document within the custody of the land access ombudsman.	Section 57(2) <i>Land Access Ombudsman Act 2017</i>	
Power, when giving a document or information to the land access ombudsman, to inform the land access ombudsman of a belief that the document or information to be provided is confidential or that the disclosure of the document or information to the ombudsman might be detrimental to the party's commercial activities.	Section 59(2) <i>Land Access Ombudsman Act 2017</i>	
Power to consent to the use of, recording of, or disclosure of confidential information by a person who	Section 60(3)(b) <i>Land Access Ombudsman Act 2017</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Land Access Ombudsman Act 2017**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
is, or has been, the land access ombudsman or an officer.		

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## ATTACHMENT TWO

REGISTER OF DELEGATIONS  
COUNCIL TO CEO

## Land Act 1994

Document Reviewed:	24/02/2020
Reprint:	30/09/2020
Updated:	109B(1), 431V(2), 431V(3)
New:	57(7), 64(1),
Removed:	
Note:	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Land Act 1994</i>	
Power, as 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) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power, as an applicant under section 13B(1), to appeal against the refusal of the application.	Section 13B(6) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a person seeking to have a plan of subdivision registered in relation to the land contained in a deed of grant, deed of grant in trust or lease, to apply to the chief executive for the allocation of a floating reservation to some or all of the lots created by the plan.	Section 23A(1) <i>Land Act 1994</i>	
Power, as an applicant under section 23A(1), to appeal against the chief executive's decision.	Section 23A(6) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power to appeal against the Minister's determination of the unimproved value of land to be sold under section 24(1) of the <i>Land Act 1994</i> .	Section 25(2) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power, as lessee or registered owner, to buy a forest entitlement area under sections 24 and 25.	Section 26B(2) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power, to apply to the Minister for the dedication of a reserve.	Section 31C(1) <i>Land Act 1994</i>	
Power to give notice of the intention to apply for the dedication of a reserve.	Sections 31C(2) and 31C(3) <i>Land Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as trustee, to apply to the Minister to change the boundary of a reserve or the purpose of a reserve.	Section 31D(1) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.	Section 32 <i>Land Act 1994</i>	
Power to apply to the Minister to revoke the dedication of all or part of a reserve.	Section 34(1) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power, as owner of improvements on a reserve the dedication to which has been revoked, to apply, in writing to the chief executive, to remove improvements on the reserve.	Section 34H(1) <i>Land Act 1994</i>	
Power, as owner of improvements on a reserve the dedication to which has been revoked, to remove improvements with the written approval of the chief executive.	Section 34H(2) <i>Land Act 1994</i>	
Power, as trustee of an operational reserve, to apply for a deed of grant over the reserve.	Section 34I(1) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.	Section 38A(1) <i>Land Act 1994</i>	
Power, as trustee, to apply for the cancellation of a deed of grant in trust under section 38.	Section 38A(2) <i>Land Act 1994</i>	
Power, as trustee, to give notice of the intention to apply under section 38A.	Sections 38A(3) and 38A(4) <i>Land Act 1994</i>	
Power, as owner of improvements on a deed of grant in trust that has been cancelled, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.	Section 38G(1) <i>Land Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as owner of improvements on a deed of grant in trust that has been cancelled, to remove the improvements with the chief executive's approval.	Section 38G(2) <i>Land Act 1994</i>	
Power to accept appointment as trustee.	Section 44 <i>Land Act 1994</i>	
Power, as trustee, to advise the chief executive of change in details.	Section 45 <i>Land Act 1994</i>	
Power, as trustee, to comply with the administrative, accounting function and other directions provided by Minister.	Sections 46 and 47 <i>Land Act 1994</i>	
Power, as trustee, to:- (a) comply with a request of the chief executive to apply for the approval of a management plan for the trust land; and (b) comply with a request of the chief executive to make all records available for inspection by the chief executive and allow copies and notes of the records to be made; (c) register any management plan in the appropriate register	Section 48 <i>Land Act 1994</i>	
Power, as trustee, to:- (a) allow the auditor-general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the chief executive of a department, to audit the trust's financial accounts; and (b) help the conduct of the audit, including the disclosure of financial institution accounts necessary for the audit.	Section 49 <i>Land Act 1994</i>	
Power to take all necessary action for the maintenance and management of trust land.	Sections 52(1) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
Power, as trustee, to apply to surrender all or part of a deed of grant in trust.	Section 55A(1) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as owner of improvements on a deed of grant in trust that has been surrendered, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.	Section 55H(1) <i>Land Act 1994</i>	
Power, as owner of improvements on a deed of grant in trust that has been surrendered, to remove the improvements on the deed of grant in trust with the written approval of the chief executive.	Section 55H(2) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power, as trustee, to register a trustee lease in the appropriate register.	Section 57(7) <i>Land Act 1994</i> .	
Power to seek the Minister's approval to amend a trustee lease.	Section 57A(1) <i>Land Act 1994</i>	
Power, as trustee lessee, to transfer, mortgage or sublease a trustee lease subject to the written approval of:- (a) the Minister for a sublease; or (b) otherwise, the chief executive.	Section 58(1) <i>Land Act 1994</i>	
Power to appeal against the Minister's or chief executive's decision to refuse to allow a transfer, mortgage or sublease of a trustee lease.	Section 58(7) <i>Land Act 1994</i>	
Power, as trustee, to issue a trustee permit to use all or part of the trust land.	Section 60(1) <i>Land Act 1994</i>	
Power to lodge a trustee permit in the appropriate register.	Section 60(3) <i>Land Act 1994</i>	
Power to seek consent to group trust land reserved for similar purposes together.	Section 62 <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power, as a relevant person, to apply to the Minister for written authority dispensing with the need to obtain the Minister's or chief executive's approval for relevant leases.	Section 64(1) <i>Land Act 1994</i>	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power to allow the trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.	Section 66(1) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power to ask the Minister that a cemetery on trust land be closed to further burials.	Section 81(1) <i>Land Act 1994</i>	
Power to ask the Minister to re-open a cemetery previously closed for further burials.	Section 81(4) <i>Land Act 1994</i>	
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 <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power to apply for land to be dedicated as a road for public use.	Section 94(2) <i>Land Act 1994</i> .	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the Minister to permanently close a road.	Section 99(1) <i>Land Act 1994</i> .	
Power to apply to the Minister to temporarily close a road.	Section 99(3) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power to object to a road closure application in response to a public notice.	Section 100 <i>Land Act 1994</i> .	
Power, as a road licensee, to surrender all or part of a road licence.	Section 105(3) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power, as registered owner, to appeal against any conditions the Minister imposes under section 420I.	Section 109A(3) <i>Land Act 1994</i> .	
Power, as trustee or lessee, to apply for the simultaneous opening or closing of roads subject to section 109B(1)(a), (b) and (c).	Section 109B(1) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420I.	Section 109B(4) <i>Land Act 1994</i> .	
Power to apply for an interest in land that may be granted without competition.	Section 120A(1) <i>Land Act 1994</i> .	
Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.	Section 154 <i>Land Act 1994</i> .	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as lessee, to apply for extension of a term lease (40 years).	Section 155A(2) <i>Land Act 1994.</i>	
Power, as lessee, to apply for extension of a term lease (50 years).	Section 155B(2) <i>Land Act 1994.</i>	
Power, as lessee, to apply for extension of a term lease (75 years).	Section 155BA(2) <i>Land Act 1994.</i>	
Power, as lessee, to apply for an offer of a new lease (a renewal application).	Section 158 <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
Power, as a lessee under a rolling term lease, to apply to the Minister for an extension of the term.	Section 164C(1) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
Power, as lessee, to apply for approval to subdivide the lease.	Section 176(1) <i>Land Act 1994.</i>	
Power to provide a statement of Council's views on the proposed subdivision.	Section 176(2)(b) <i>Land Act 1994.</i>	
Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.	Section 176E <i>Land Act 1994.</i>	
Power, as lessee of 2 or more leases, to apply to the Minister for approval to amalgamate the leases.	Section 176K(1) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give the chief executive an opinion in respect of a proposed road closure.	Section 176N <i>Land Act 1994</i> .	
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 <i>Land Act 1994</i> .	
Power to apply for a permit to occupy unallocated State land, a reserve or a road.	Section 177A(1) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power, as an applicant for a permit, to enter an agreement with an adjoining owner about the maintenance of a fence.	Section 179 <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power, as a relevant entity, to apply to surrender or cancel a permit to occupy.	Section 180A <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power, as a permittee, to remove improvements with the chief executive's written approval.	Section 180H(2) <i>Land Act 1994</i> .	
Power, as lessee, licensee or permittee, to give the Minister or chief executive the information asked for about the lease, licence or permit.	Section 201 <i>Land Act 1994</i> .	
Power, as lessee, licensee or permittee, to apply to change an imposed condition of the lease, licence or permit.	Section 210 <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power to make submissions to the Minister in response to a warning notice.	Section 214A <i>Land Act 1994</i> .	
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 <i>Land Act 1994</i> .	
Power, as a lessee or licensee to whom a remedial action notice has been given, to comply with the notice.	Section 214D <i>Land Act 1994</i> .	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
Power, as owner of lawful improvements on a lease or part of lease resumed under the division, to claim compensation.	Section 225(2) <i>Land Act 1994.</i>	
Power, as lessee, to appeal against the Minister's decision on compensation payable.	Section 226(5) <i>Land Act 1994.</i>	
Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.	Section 230(2) <i>Land Act 1994.</i>	
Power, as owner, to appeal against the Minister's decision on compensation payable.	Section 232(5) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
Power, after receiving a notice under section 235(1) or 238(3), as a lessee of a lease, to apply in writing to the chief executive for permission to sell the lease.	Section 240E(1) <i>Land Act 1994.</i>	
Power, as a local government, to apply to the chief executive to sell a lease.	Section 240G <i>Land Act 1994.</i>	
Power, as lessee of a forfeited lease, to apply, in writing to the chief executive, to remove the lessee's improvements on the lease.	Section 243(1A) <i>Land Act 1994.</i>	
Power, as lessee of a forfeited lease, to remove the improvements with the written approval of the chief executive.	Section 243(1) <i>Land Act 1994.</i>	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a transferor or a person creating the interest, or the transferee or the person in whose favour the interest is to be created, to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease.	Section 288(1) <i>Land Act 1994</i>	
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) <i>Land Act 1994</i>	
Power to lodge a standard terms document and amend the standard terms document by lodging a further document.	Sections 318 & 319 <i>Land Act 1994.</i>	
Power, as a lessee, licensee or the holder of a sublease, to apply to transfer a lease, sublease or licence under the Act with the approval of the chief executive.	Section 322(3) <i>Land Act 1994</i>	
Power, as a lessee, licensee or the holder of a sublease, to apply to the chief executive to extend the time mentioned in subsection 322(4).	Section 322(5) <i>Land Act 1994</i>	
Power, as a lessee, licensee or the holder of a sublease, to appeal a decision of the chief executive not to grant the transfer of a lease, sublease or licence.	Section 322(8) <i>Land Act 1994</i>	
Power to surrender freehold land on terms agreed between the chief executive and the registered owner and with the chief executive's written approval.	Section 327 <i>Land Act 1994</i>	
Power to surrender a lease or part of a lease on terms agreed between the chief executive and the lessee and with the chief executive's written approval.	Section 327A <i>Land Act 1994</i>	
Power, as a registered owner, to apply in writing to the chief executive to surrender freehold land.	Section 327B <i>Land Act 1994.</i>	
Power, as a lessee, to apply in writing to the chief executive to surrender all or part of a lease.	Section 327C(1) <i>Land Act 1994.</i>	
Power, as a lessee, to give notice of an intention to apply to any other person with a registered interest in the lease.	Sections 327C(2) and 327C(3) <i>Land Act 1994.</i>	
Power, as owner of improvements on a lease that has been surrendered, to apply in writing to the chief executive to remove the owner's improvements on the lease.	Section 327I(1) <i>Land Act 1994</i>	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as owner of improvements on a lease that has been surrendered, to remove the owner's improvements with the chief executive's written approval.	Section 327I(2) <i>Land Act 1994</i>	
Power, as lessee, to give notice of the intention to surrender a lease.	Section 329(1) <i>Land Act 1994.</i>	
Power to seek the Minister's approval to sublease a lease issued under the Act.	Sections 332(1) and 332(2) <i>Land Act 1994</i>	
Power to appeal against the Minister's refusal to approve the sublease of a lease issued under the Act.	Section 332(7) <i>Land Act 1994</i>	
Power to seek the Minister's approval to amend a sublease.	Section 336 <i>Land Act 1994</i>	
Power, as party to a sublease, to give another party to the sublease a dispute notice and ask the responder to give information reasonably required for resolving the dispute.	Section 339F <i>Land Act 1994.</i>	
Power, as a party to a sublease who has received a dispute notice, to respond to the dispute notice and ask for further information reasonably required for resolving the dispute.	Section 339G <i>Land Act 1994.</i>	
Power, as a party to a sublease and where the circumstances of section 339H(1) apply, to attempt to resolve the dispute by mediation.	Section 339H(2) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute, to jointly appoint a mediator to mediate the dispute.	Section 339I(1) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339I(2) apply, to request the prescribed dispute resolution entity to appoint a mediator to mediate the dispute.	Section 339I(2) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute, to agree to a time for the mediation.	Section 339J(1) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to set a time for the mediation of the dispute.	Section 339J(2) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to participate in the mediation, agree to adjourn the mediation, and agree to a later time for the mediation.	Section 339K <i>Land Act 1994.</i>	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to pay Council's share of the mediator's costs of the mediation or otherwise agree with the other parties to the dispute how the costs of the mediator will be paid.	Section 339L <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute, to jointly appoint an arbitrator to decide the dispute.	Section 339O(1) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339O(2) apply, to request the prescribed dispute resolution entity to appoint an arbitrator to decide the dispute.	Section 339O(2) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute, to agree to extend the period for the arbitrator to decide the dispute by issuing an award.	Section 339Q(3)(c) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute, and where the arbitrator has required, to give an appointed expert access to or copies of any relevant information, documents or other property.	Section 339R(1)(b) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute, to request that an appointed expert participate in a hearing.	Section 339R(2) <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute that has been decided by arbitration, to apply to the Supreme Court to set aside the decision in certain circumstances.	Section 339T <i>Land Act 1994.</i>	
Power, as a party to a sublease and a party to a dispute that is the subject of arbitration, to pay Council's share of the arbitration costs or otherwise agree with the other parties to the dispute how the arbitration costs will be paid.	Section 339U <i>Land Act 1994.</i>	
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) <i>Land Act 1994</i>	
Power, as registered owner or trustee, to surrender the land contained in the registered owner's deed of grant or trustee's deed of grant in trust if, on resurvey of the land, the boundaries of the land do not agree with the boundaries described in the existing deed or appropriate plan, and no doubt exists about the boundaries of the land, with the written approval of the chief executive.	Section 358(2) <i>Land Act 1994</i>	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Land Act 1994.</i>	
Power to apply to amend the description in a term lease or a perpetual lease, other than a State lease, if the description of the lease may be amended under section 360A(2)(a), (b) or (c).	Section 360C(2) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
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 <i>Land Act 1994.</i>	
Power to sign the document creating the easement where Council is the public utility provider or the owner of the land to be burdened.	Section 363(1)(b) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
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) <i>Land Act 1994.</i>	
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 <i>Land Act 1994.</i>	
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 <i>Land Act 1994.</i>	
Power to make a submission in response to a notice received under the Act about a proposed application.	Section 420CB <i>Land Act 1994.</i>	
Power to respond to a request from the Chief Executive for information listed in sections 420E(1)(a) and 420E(1)(b).	Section 420E <i>Land Act 1994.</i>	

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### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the Minister for a review of a decision.	Section 423 <i>Land Act 1994</i> .	
Power to appeal to the Court against a decision.	Section 427 <i>Land Act 1994</i> .	
Power to consult with the Minister about whether Council wishes to be the manager of a declared beach area.	Section 431V(2) <i>Land Act 1994</i> .	
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 431V(3) <i>Land Act 1994</i> .	
Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZG(1) apply, to give the chief executive written notice of the damage.	Section 431ZG <i>Land Act 1994</i> .	
Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply, to enter a remediation agreement with the chief executive.	Section 431ZH(2) <i>Land Act 1994</i> .	
Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply and a remediation agreement has not been made, to apply to the court to decide what remediation action, if any, will be taken.	Section 431ZH(5) <i>Land Act 1994</i> .	
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 <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
Power, as a licensee, to remove the licensee's improvements on the licence with the written approval of the Minister.	Section 481J(2) <i>Land Act 1994</i> .	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Land Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	
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) <i>Land Act 1994</i> .	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO *Land Regulation 2020*

Document Reviewed:	24/02/2020
Reprint:	1/08/2020
Updated:	
New:	
Removed:	
Note:	New Register

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power, as trustee, to:-</p> <p>(a) give a public notice of the decision to adopt the model by-law; and</p> <p>(b) notify the chief executive.</p> <p>NB. for the avoidance of doubt, this section does not include the power to adopt the model by-law.</p>	Section 4(3) <i>Land Regulation 2020</i>	
Power, as trustee, while the model by-law has effect, to keep a copy of the public notice available for inspection free of charge.	Section 4(6) <i>Land Regulation 2020</i>	
Power, as lessee, to appeal against the purchase price decision.	Section 19(2) <i>Land Regulation 2020</i>	
Power, as prospective lessee or licensee, to appeal against the rental category decision.	Section 31(3) <i>Land Regulation 2020</i>	
Power, as prospective permittee, to appeal against the rental category decision.	Section 32(3) <i>Land Regulation 2020</i>	
Power, as a tenure holder, to pay the rent or instalments for the tenure when and where required under Part 5, Division 5.	Section 48(1) <i>Land Regulation 2020</i>	
Power, as a tenure holder in the circumstances set out in subsection 60(1), to apply to the Minister for a deferral of all or part of the rent or instalments payable for the tenure.	Section 60(2) <i>Land Regulation 2020</i>	
Power, as a tenure holder who has lodged an application under subsection 60(2), to give the Minister any further information needed to help decide the application.	Section 60(4) <i>Land Regulation 2020</i>	
Power, as a tenure holder in the circumstances set out in subsections 65(1) and (2), to pay the penalty interest.	Sections 65(3) and (4) <i>Land Regulation 2020</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**  
**Land Regulation 2020**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the manager of a declared beach area, to temporarily close the declared beach area or a part of the declared beach area.	Section 85(1) <i>Land Regulation 2020</i>	
Power, as the manager of a declared beach area, to allow a person to access the closed area.	Section 85(2) <i>Land Regulation 2020</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Land Title Act 1994

<b>Document Reviewed:</b>	24/06/2020
<b>Reprint:</b>	26/02/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a person served with a written notice by the registrar, to give public notice of a request listed in subsection (1) and to satisfy the registrar that the public notification has been given.	Section 18 <i>Land Title Act 1994</i>	
Power to undertake the searches and obtain copies of the documents described in section 35(1)	Section 35(1) <i>Land Title Act 1994</i>	
Power, as the registered owner, to agree to a plan of subdivision and dedicating the public use land	Section 50(1)(b) <i>Land Title Act 1994</i>	
Power, as the relevant planning body, to approve a plan of subdivision	Section 50(1)(h) <i>Land Title Act 1994</i>	
Power, as the registered proprietor whose interests are affected by the plan, to consent to a plan of subdivision	Section 50(1)(j) <i>Land Title Act 1994</i>	
Power, as the registered owner of a lot, to dedicate the lot as a road for public use	Section 54(1) <i>Land Title Act 1994</i>	
Power, as the relevant planning body, to approve a dedication notice to dedicate a lot as a road for public use	Section 54(3) <i>Land Title Act 1994</i>	
Power, as the registered owner, to sign a building management statement for registration	Section 54B(1) <i>Land Title Act 1994</i>	
Power, as the registered owner, to sign an instrument of amendment for a building management statement	Section 54E(2) <i>Land Title Act 1994</i>	
Power, as the registered owner of all lots to which a building management statement applies, to ask the registrar to extinguish the building management statement.	Section 54G <i>Land Title Act 1994</i>	
Power, as the registered owner, to sign an instrument of extinguishment or partial extinguishment for a building management statement.	Section 54H(3) <i>Land Title Act 1994</i>	
Power, as the registered owner of a lot with two or more registered owners, to request the registrar create a separate indefeasible title for the interest of each owner.	Section 57 <i>Land Title Act 1994</i>	
Power, as a registered owner subject to a joint tenancy, to unilaterally sever the joint tenancy.	Section 59(1) <i>Land Title Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Land Title Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a registered owner subject to a joint tenancy, to give notice of the severing of the joint tenancy in the way prescribed by subsection (2).	Section 59(2) <i>Land Title Act 1994</i>	
Power to register an instrument of transfer for the transfer of a lot or interest to or from Council.	Section 60(1) <i>Land Title Act 1994</i>	
Power to register an instrument of lease for the lease of a lot, or part of a lot, to or from Council.	Section 64 <i>Land Title Act 1994</i>	
Power to register an instrument of amendment of a lease to or from Council.	Section 67(1) <i>Land Title Act 1994</i>	
Power, as the relevant local government, to approve the instrument of lease where it is for reconfiguring a lot within the meaning of the <i>Planning Act 2016</i> .	Section 65(3A) <i>Land Title Act 1994</i>	
Power, as a lessor under a registered lease who has lawfully re-entered and taken possession under the lease, to lodge a request for the registrar to register the re-entry.	Section 68(1) <i>Land Title Act 1994</i>	
Power, as a lessor or lessee under a registered lease, to execute and register an instrument of surrender of the lease.	Section 69(1) <i>Land Title Act 1994</i>	
Power, as a sublessee, to consent to the surrender of the lease.	Section 69(2) <i>Land Title Act 1994</i>	
Power, as a lessor or lessee under a registered lease, to give written notice of the surrender of the lease to every registered mortgagee and registered sublessee.	Section 69(3) <i>Land Title Act 1994</i>	
Power to register an instrument of easement benefiting or burdening land owned by Council.	Section 82(1) <i>Land Title Act 1994</i>	
Power, as the registered owner, lessee, person entitled to the land or public utility provider, to sign an instrument of easement for particular easements.	Section 83(1)(b) <i>Land Title Act 1994</i>	
Power, as the relevant local government, to approve the plan of survey for the creation of an easement giving access to a lot from a constructed road where it is the reconfiguring of a lot under the <i>Planning Act 2016</i> .	Section 83(2) <i>Land Title Act 1994</i>	
Power, as the registered owner of a lot burdened by an easement in favour of a public utility provider that is not a public thoroughfare easement, to recover from the public utility provider a reasonable contribution towards the cost of keeping the part of the lot affected by the easement in a condition appropriate for enjoyment of the easement.	Section 85B(2) <i>Land Title Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Land Title Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the registered owner of the lot benefited and the lot burdened by an easement, to ask the registrar to extinguish the easement.	Section 87 <i>Land Title Act 1994</i>	
Power to register an instrument of surrender of an easement benefiting or burdening land owned by Council.	Section 90(1) <i>Land Title Act 1994</i>	
Power to sign an instrument of surrender of an easement.	Section 90(2) <i>Land Title Act 1994</i>	
Power, as a lessee or sublessee of a lot benefited by an easement, to consent to surrender of the easement.	Section 90(3) <i>Land Title Act 1994</i>	
Power to register an instrument of amendment of an easement benefiting or burdening land owned by Council.	Section 91(1) <i>Land Title Act 1994</i>	
Power, as a local government and covenantee, to register an instrument of covenant.	Section 97A <i>Land Title Act 1994</i>	
Power, as a local government and covenantee, to register an instrument of amendment of a covenant.	Section 97C <i>Land Title Act 1994</i>	
Power, as a local government and covenantee, to sign and register an instrument of surrender of a covenant.	Section 97D <i>Land Title Act 1994</i>	
Power to register an instrument of profit a prendre benefiting or burdening land owned by Council.	Section 97E <i>Land Title Act 1994</i>	
Power, as the registered owner of the lot benefited and the lot burdened by a profit a prendre, to ask the registrar to extinguish the profit a prendre.	Section 97I <i>Land Title Act 1994</i>	
Power to register an instrument of amendment of a profit a prendre benefiting or burdening land owned by Council.	Section 97K <i>Land Title Act 1994</i>	
Power to register an instrument of release of a profit a prendre benefiting or burdening land owned by Council	Section 97L <i>Land Title Act 1994</i>	
Power to register instrument of carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97O <i>Land Title Act 1994</i>	
Power, as a holder of a registered interest in land affected by a proposed grant of a carbon abatement interest, to consent to the proposed grant.	Section 97P(c) <i>Land Title Act 1994</i>	
Power to register instrument of amendment of a carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97S(1) <i>Land Title Act 1994</i>	
Power to register instrument of surrender of a carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97U(1) <i>Land Title Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Land Title Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to be registered as owner of a lot as an adverse possessor.	Section 99(1) <i>Land Title Act 1994</i>	
Power to withdraw an application to be registered as owner of a lot as an adverse possessor and request that all documents lodged in support of the claim be returned.	Section 100 <i>Land Title Act 1994</i>	
Power, as a person claiming an interest in a lot the subject of an adverse possession claim, to lodge a caveat.	Section 104 <i>Land Title Act 1994</i>	
Power, as a caveator given a written notice under subsection (1), to:- (a) start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started.	Section 106(2) <i>Land Title Act 1994</i>	
Power, as a caveator that does not agree to the registration of the applicant for a lesser interest in the lot, to:- (a) start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started.	Sections 107(2) and (3) <i>Land Title Act 1994</i>	
Power, as an applicant, to sign the plan of subdivision as if the applicant were the registered owner of the relevant lot.	Section 108A <i>Land Title Act 1994</i>	
Power, as the registered owner holding the interest in the lot as trustee, to lodge an instrument of transfer to register the interest as being held as trustee.	Section 110(1) <i>Land Title Act 1994</i>	
Power, as a person who is beneficially entitled under a will to a lot or an interest in a lot of a deceased registered proprietor, to apply to the registrar to be registered as proprietor of the lot.	Section 112(1) <i>Land Title Act 1994</i>	
Power, as a person mentioned in section 114(1), to apply to the Supreme Court for an order to be registered as proprietor of the lot.	Section 114(2) <i>Land Title Act 1994</i>	
Power to lodge a caveat.	Section 122 <i>Land Title Act 1994</i>	
Power to withdraw a caveat.	Section 125 <i>Land Title Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO *Land Title Act 1994*

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a caveatee, to serve on the caveator a notice requiring the caveator to start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat and to notify the registrar of service of the notice.	Sections 126(2) and (3) <i>Land Title Act 1994</i>	
Power, as a caveator served with a notice under subsection (2), to:- (a) start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat; and (b) notify the registrar that a proceeding has been started and the identity of the proceeding.	Section 126(4) <i>Land Title Act 1994</i>	
Power, as a caveatee, to apply to the Supreme Court for an order that a caveat be removed.	Section 127(1) <i>Land Title Act 1994</i>	
Power to lodge a request to cancel a caveat.	Section 128(1) <i>Land Title Act 1994</i>	
Power to seek the leave of a court of competent jurisdiction to lodge a further caveat.	Section 129(2) <i>Land Title Act 1994</i>	
Power to deposit a priority notice for a lot.	Section 139(1) <i>Land Title Act 1994</i>	
Power to deposit a request to extend a priority notice.	Section 141(1) <i>Land Title Act 1994</i>	
Power to deposit a request to withdraw a priority notice.	Section 143(1) <i>Land Title Act 1994</i>	
Power, as an affected person for a lot to which a priority notice applies, to apply to the Supreme Court for an order that the priority notice be removed.	Section 144(1) <i>Land Title Act 1994</i>	
Power to deposit a request to cancel a priority notice.	Section 145(1)(a) <i>Land Title Act 1994</i>	
Power, as the depositor of a priority notice, to request a correction to the priority notice.	Section 149(1) <i>Land Title Act 1994</i>	
Power to comply with a requisition given to Council by the registrar.	Section 156(3) <i>Land Title Act 1994</i>	
Power to apply to the registrar to relodge an instrument that the registrar has permitted to be withdrawn.	Section 159(4) <i>Land Title Act 1994</i>	
Power to comply with a requirement of the registrar to deposit an instrument for correction or cancellation.	Section 160 <i>Land Title Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Land Title Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to comply with a requirement of the registrar to lodge a plan of survey for the lot.	Section 165 <i>Land Title Act 1994</i>	
Power to lodge a standard terms document and amend a standard terms document on Council's behalf.	Section 169(1) <i>Land Title Act 1994</i>	
Power to request the registrar to withdraw a standard terms document on Council's behalf	Section 172(1) <i>Land Title Act 1994</i>	
Power, as a person affected by a correction, to apply to the Supreme Court for an order that the correction be amended or set aside.	Section 186(2) <i>Land Title Act 1994</i>	
Power, as a person with an entitlement to compensation under section 188 or 188A, to apply to the Supreme Court for an order:- (a) for compensation to be paid by the State; (b) directing the registrar to take stated action.	Section 188B(1) <i>Land Title Act 1994</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS

## COUNCIL TO CEO

### Land Valuation Act 2010

<b>Document Reviewed:</b>	26/02/2020
<b>Reprint:</b>	9/12/2019
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to consult with the valuer-general about a proposed decision not to make an annual valuation of land.	Section 74 <i>Land Valuation Act 2010</i>	
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 <i>Land Valuation Act 2010</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Liquor Act 1992

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	04/12/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply, as provided under the QCAT Act, to the tribunal for a review of a decision of a commissioner.	Section 30 <i>Liquor Act 1992</i>	
Power to apply appeal a decision of the tribunal to the Court of Appeal.	Section 35 <i>Liquor Act 1992</i>	
Power to consent to the making of an application for an adult entertainment permit or to abstain from consenting to the application.	Section 105B <i>Liquor Act 1992</i>	
Power to make comments in regard to the grant of an adult entertainment permit.	Section 107D(2) <i>Liquor Act 1992</i>	
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) <i>Liquor Act 1992</i>	
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) <i>Liquor Act 1992</i>	
Power to comment about an application relating to a restricted area.	Section 117A <i>Liquor Act 1992</i>	
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 <i>Liquor Act 1992</i>	
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) <i>Liquor Act 1992</i>	
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) <i>Liquor Act 1992</i>	

As at April 2021

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Liquor Act 1992**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Liquor Act 1992</i>	
Power to display a notice regarding a designation at or near each entrance to a place within a restricted area.	Section 173M(1) <i>Liquor Act 1992</i>	
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) <i>Liquor Act 1992</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	04/12/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to conduct a joint government activity.	Section 10 <i>Local Government Act 2009</i>	
Power to:- (a) review whether each division of its local government area has a reasonable proportion of electors for each councillor elected for the division; and (b) give the electoral commissioner and the Minister written notice of the results of the review no later than 1 March in the year before the quadrennial elections.	Section 16 <i>Local Government Act 2009</i>	
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 <i>Local Government Act 2009</i>	
Power to decide the local government's process for making a local law consistent with Chapter 3, Part 1 of the <i>Local Government Act 2009</i> .	Section 29(1) <i>Local Government Act 2009</i>	
Power to consult with relevant government entities about the overall State interest in a proposed local law.	Section 29A(3) <i>Local Government Act 2009</i>	
Power to conduct a public benefit assessment of a new significant business activity	Section 46(2) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
Power to apply a code of competitive conduct to a business activity other than a business activity prescribed under a regulation.	Section 47(9) <i>Local Government Act 2009</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Local Government Act 2009</i>	
Power to give the owner of land a notice of intention to acquire land.	Section 61 <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
Power to decide a claim for compensation for a notice of intention to acquire land.	Section 62 <i>Local Government Act 2009</i>	
Power to acquire land after service of notice of intention to acquire instead of paying compensation for injurious affection.	Section 64 <i>Local Government Act 2009</i>	
Power to assess compensation for acquisition of land.	Section 64 <i>Local Government Act 2009</i>	
Power to serve notice of decision not to proceed to acquire land the subject of a notice of intention to acquire.	Section 65(3) <i>Local Government Act 2009</i>	
Power to withdraw notice of intention to acquire land.	Section 65(4) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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 <i>Local Government Act 2009</i>	
Power to acquire land that adjoins a road for use as a footpath.	Section 67 <i>Local Government Act 2009</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
Power to publish notice of closing of road.	Section 69(3) <i>Local Government Act 2009</i>	
Power to do everything necessary to stop traffic using the road after it is closed.	Section 69(4) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to agree the amount of compensation payable under section 71 of the <i>Local Government Act 2009</i> .	Section 71(4) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
Power, in the circumstances set out in subsection 72(1), to assess impact of the activity on the road.	Section 72(3) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
Power to recover an amount of compensation payable under subsection 72(3)(b)(iii) in a court.	Section 72(5) <i>Local Government Act 2009</i>	
Power to categorise the roads in the local government area according to the surface of the road.	Section 73 <i>Local Government Act 2009</i>	
Power to prepare and keep up to date a map of every road including private roads in the local government area and a register of roads showing the category of every road, the level of every road that has a fixed level and other particulars prescribed under a regulation.	Section 74(1) <i>Local Government Act 2009</i>	
Power to approve the carrying out of works on a road or interference with a road or its operation subject to conditions.	Section 75 <i>Local Government Act 2009</i>	
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 <i>Local Government Act 2009</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Local Government Act 2009</i>	
Power to give a notice requiring the owner of a property to perform sewerage installation works.	Section 78 <i>Local Government Act 2009</i>	
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 <i>Local Government Act 2009</i>	
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 <i>Local Government Act 2009</i>	
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.	<a href="#">Section 90B Local Government Act 2009</a>	
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 <i>Local Government Act 2009</i>	
Power to lodge documents with the Registrar of Titles for release of the charge if overdue rates and charges are paid.	Section 95 <i>Local Government Act 2009</i>	
Power to establish a system of financial management, except those parts of the system that must be adopted by resolution (e.g. corporate plan, budget and operational plan).	Section 104(1) <i>Local Government Act 2009</i>	
Power to regularly review and update the financial policies of Council.	Section 104(6) <i>Local Government Act 2009</i>	
Power to carry out a review of the implementation of the annual operational plan annually.	Section 104(7) <i>Local Government Act 2009</i>	
Power to establish an efficient and effective internal audit function.	Section 105(1) <i>Local Government Act 2009</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a large local government, to establish an audit committee.	Section 105(2) <i>Local Government Act 2009</i>	
Power to maintain public liability insurance and professional indemnity insurance.	Section 107(1) <i>Local Government Act 2009</i>	
Power to enter into a contract of insurance with WorkCover Queensland or another insurer to cover its councillors.	Section 107(3) <i>Local Government Act 2009</i>	
Power to give the public notice of the disbursement of funds not provided for in the local government's budget.	Section 110 <i>Local Government Act 2009</i>	
Power to make submission to the Minister about the Minister's proposed exercise of the power.	Section 120(3)(d) <i>Local Government Act 2009</i>	
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 <i>Local Government Act 2009</i>	
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 <i>Local Government Act 2009</i>	
Power to authorise an employee or agent of the local government to act as a local government worker.	Section 138(5) <i>Local Government Act 2009</i>	
Power to give each local government worker an identity card.	Section 138A(1) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Local Government Act 2009</i>	
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 <i>Local Government Act 2009</i>	
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 <i>Local Government Act 2009</i>	
Power to make a complaint to the assessor about the conduct of a councillor.	Section 150Q(1) <i>Local Government Act 2009</i>	
Power, as a government entity, to refer a complaint about the conduct of a councillor to the assessor and give the assessor all information held by the entity that relates to the complaint.	Section 150P(2) <i>Local Government Act 2009</i>	
Power, as the person who made the complaint, to comply with a notice to give the assessor further information about the complaint.	Section 150Q(2) <i>Local Government Act 2009</i>	
Power, in either of the circumstances listed in subsection (1), to give the assessor a notice about the councillor's conduct and all information held by Council that relates to the conduct.	Section 150S(2) <i>Local Government Act 2009</i>	
Power to publish Council's investigation policy on Council's website.	Section 150AE(4) <i>Local Government Act 2009</i>	
Power to investigate the councillor's conduct.	Section 150AF(1) <i>Local Government Act 2009</i>	
Power, where the council obtains information indicating that a councillor may have engaged in misconduct, to give the information to the assessor for further investigation under division 4.	Section 150AF(4) <i>Local Government Act 2009</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an occupier of a place, to consent to the entry of the investigator and to impose conditions on the entry.	Sections 150BI(1) and (2) <i>Local Government Act 2009</i>	
Power, as an occupier of a place, to sign an acknowledgement of the consent.	Section 150BM(1) <i>Local Government Act 2009</i>	
Power, as an occupier of a place, to comply with a help requirement.	Section 150BV(1) <i>Local Government Act 2009</i>	
Power to apply to the assessor for the return of a seized item.	Section 150CE(3) <i>Local Government Act 2009</i>	
Power to comply with a notice from the investigator requiring information to be provided.	Section 150CH(2) <i>Local Government Act 2009</i>	
Power to claim compensation from the State if the Council incurs loss because of the exercise, of a power by or for an investigator, including a loss arising from compliance with a requirement made of Council under division 3, 4 or 5.	Section 150CN <i>Local Government Act 2009</i>	
Power, as a person given, or entitled to be given, an information notice under section 150CC, to apply for an internal review.	Section 150CO <i>Local Government Act 2009</i>	
Power to ask the assessor to extend the time for making the application.	Section 150CP(2) <i>Local Government Act 2009</i>	
Power, as an applicant dissatisfied with a review decision made by the assessor, to apply to QCAT for a review of the decision.	Section 150CR <i>Local Government Act 2009</i>	
Power to request the conduct tribunal to:- (a) investigate the suspected inappropriate conduct of a councillor referred to the local government, by the assessor, to be dealt with by the local government; and (b) make recommendations to the local government about dealing with the conduct.	Section 150DL <i>Local Government Act 2009</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to pay the costs of the conduct tribunal in relation to the conduct tribunal:- (a) conducting a hearing about the misconduct of a councillor under part 3, division 6; or (b) at the request of the local government, investigating the suspected inappropriate conduct of a councillor and making recommendations to the local government about dealing with the conduct	Section 150DU <i>Local Government Act 2009</i>	
Power to keep an up-to-date councillor conduct register, publish the register on Council's website and make the register available for inspection and purchase by the public.	Section 150DX <i>Local Government Act 2009</i>	
Power to appoint a qualified person to act as chief executive officer during:- (a) any vacancy, or all vacancies, in the position; or (b) any period, or all periods, when the chief executive officer is absent from duty or can not, for another reason, perform the chief executive officer's responsibilities.	Section 195 <i>Local Government Act 2009</i>	
Power to:- (a) employ local government employees; (b) agree to the terms and conditions of an employee's employment (including any variation to those terms); and (c) terminate a local government employee's employment.	Section 196(2) <i>Local Government Act 2009</i>	This power does not include the power to appoint employees which is separately dealt with under section 196(3) of the Act.
Power to enter into a written contract of employment with a councillor advisor (including agreeing to any variation to a written contract of employment).  NB this power only applies to those local government's that have been prescribed under section 197D(1)(a).	Section 197A(3) and 197A (4) <i>Local Government Act 2009</i>	
Power to agree with other local governments about the joint employment of a local government employee.	Section 198 <i>Local Government Act 2009</i>	
Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into LGIA super.	Section 219(1) <i>Local Government Act 2009</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Local Government Act 2009</i>	
Power, as a local government other than the Brisbane City Council, to comply with a notice giving by the LGIA super Trustee under subsection 219A(1).	Section 219A <i>Local Government Act 2009</i>	
Power to pay a yearly superannuation contribution in the circumstances prescribed in section 220.	Section 220 <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
Power, as an employer, to give a copy of the agreement made under subsection 220(2) to the relevant trustee.	Section 221(4) <i>Local Government Act 2009</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
Power to sign a document on behalf of a local government as a delegate of the local government.	Section 236 <i>Local Government Act 2009</i>	
Power to start a proceeding:- (1) in the name of Council; (2) under the <i>Justices Act 1886</i> in the name of a local government employee who is a public officer within the name of that Act.	Section 237 <i>Local Government Act 2009</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Government Act 2009**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to effect substituted service.	Section 239 <i>Local Government Act 2009</i>	
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) <i>Local Government Act 2009</i>	
Power to do anything that is necessary or convenient for performing the responsibilities of the local government under a Local Government Act.	Section 262 <i>Local Government Act 2009</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/01/2020
<b>Updated:</b>	232(6)
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make available for inspection at its public office, a copy of the local government's area map	Section 6(6) <i>Local Government Regulation 2012</i>	
Power to give an extract or certified copy of a local law from the local government's register of local laws where the person has paid the applicable fee.	Section 14(2) <i>Local Government Regulation 2012</i>	
Power to publish the register of local laws on Council's website.	Section 14(4) <i>Local Government Regulation 2012</i>	
Power to identify and assess each new significant business activity for possible reform involving full cost pricing, commercialising, or corporatising the activity.	Section 18 <i>Local Government Regulation 2012</i>	
Power, when conducting a relevant business activity, to carry out all functions described in subsections (a), and (c) to (f).	Section 41(1) <i>Local Government Regulation 2012</i>	
Power to ensure the public can inspect a copy of the report given to Council under section 52.	Section 53 <i>Local Government Regulation 2012</i>	
Power to give notice of the resolution made pursuant to section 55(1) to the entities listed in subsection (4).	Section 55(4) <i>Local Government Regulation 2012</i>	
Power to establish a register of business activities to which the competitive neutrality principle applies.	Section 56(1) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power in relation to a mall to do any of the following: (a) anything necessary or desirable for developing, managing, maintaining (including cleaning), promoting or using a mall; (b) permit the use of any part of the mall on conditions it considers appropriate; (c) anything incidental to its powers mentioned in (a) or (b).	Section 58(2) <i>Local Government Regulation 2012</i>	
Power to: (a) construct, maintain, manage and regulate the use of harbours for small vessels in or over tidal waters; (b) construct, maintain, manage and regulate the use of jetties, breakwaters and ramps in or over tidal waters; and (c) to occupy and use foreshore, tidal land or tidal waters to undertake work in exercising those powers.	Section 59 <i>Local Government Regulation 2012</i>	
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 in Council's favour.	Section 63 <i>Local Government Regulation 2012</i>	
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(3) <i>Local Government Regulation 2012</i>	
Power to identify, in any way considered appropriate, parcels of rateable land to which a minimum amount of general rates apply.	Section 77(2) <i>Local Government Regulation 2012</i>	
Power to identify, in any way considered appropriate, the rating category to which each parcel of rateable land in the local government area belongs. Nb. this section is only required where Council is levying differential general rates.	Section 81(4) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Local Government Regulation 2012</i>	
Power to ensure that each relevant rate notice is accompanied by, or contains, a rating category statement. <i>Nb. this section is only required where Council is levying differential general rates.</i>	Section 88(2) <i>Local Government Regulation 2012</i>	
Power to allow a longer period within which an owner of rateable land must give an objection notice. <i>Nb. this section is only required where Council is levying differential general rates.</i>	Section 90(5)(b) <i>Local Government Regulation 2012</i>	
Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges to the current owners of the land on which the special rates or charges were levied. <i>Nb. this section is only required where Council is levying special rates or charges.</i>	Section 96(2) <i>Local Government Regulation 2012</i>	
Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges (in the proportions stipulated in subsection (3)) to the current owners of the land on which the special rates or charges were levied. <i>Nb. this section is only required where Council is levying special rates or charges.</i>	Section 97(2) <i>Local Government Regulation 2012</i>	
Power, in the circumstance referred to in subsection (1), to return paid special rates or charges to the person who paid them.	Section 97(2) <i>Local Government Regulation 2012</i>	
Power to levy rates or charges by a rate notice.	Sections 104 <i>Local Government Regulation 2012</i>	
Power to include on a rate notice an amount, other than an amount for rates or charges, payable to Council.	Sections 105 <i>Local Government Regulation 2012</i>	
Power to determine a period considered appropriate for the issue of a rate notice.	Section 107(1) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give a rate notice and, if required, a rating category statement, electronically.	Section 108 <i>Local Government Regulation 2012</i>	
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 <i>Local Government Regulation 2012</i>	
Power, if the value of the land changes under the Land Valuation Act, to adjust the rates so that the rates are calculated on the new value of the land for the period that starts on the day the change takes effect.	Section 111 <i>Local Government Regulation 2012</i>	
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 <i>Local Government Regulation 2012</i>	
Power, if the land becomes, or stops being, land on which the local government may levy special rates or charges, to adjust the rates or charges so that the rates or charges are calculated on the period when the land was land on which the local government could levy special rates or charges.	Section 113 <i>Local Government Regulation 2012</i>	
Power, in the circumstance of subsection (1), to adjust the rates or charges so that the rates or charges are calculated only for the period when the person was entitled to occupy the land.	Section 114 <i>Local Government Regulation 2012</i>	
Power, where rates or charges are paid before they are adjusted, to refund the overpaid amount of rates or charges, or recover the amount of rates or charges owing.	Section 115 <i>Local Government Regulation 2012</i>	
Power to levy rates or charges, or adjust a rates or charges levy in a financial year, even though the resolution for making the rates or charges was made for a previous financial year.	Section 117 <i>Local Government Regulation 2012</i>	
Power to accept an application from a ratepayer made under subsection (1)(a).	Section 122(3) <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, in the relevant circumstances of section 123, to grant a rebate of rates or charges for land occupied by pensioners.	Section 123 <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	
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 <i>Local Government Regulation 2012</i>	
Power, for interest on overdue rates or charges, to decide a later day from which interest is payable.	Section 133(1)(a) <i>Local Government Regulation 2012</i>	
Power, for interest on overdue rates or charges, to decide another way to calculate interest, if an equal or lower amount will be payable.	Section 133(2)(b) <i>Local Government Regulation 2012</i>	
Power, for interest on overdue rates or charges, to, for a day before 1 July 2019, decide the rate of interest payable.	Section 133(3)(a) <i>Local Government Regulation 2012</i>	
Power to recover overdue rates or charges by bringing court proceedings for a debt.	Section 134 <i>Local Government Regulation 2012</i>	
Power to give the State or government entity that has an interest in the land under a State encumbrance a notice of Council's intention to sell the land.	Section 138(3) <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to end sale procedures at the earliest of the following: (a) Council has been paid the amount of the overdue rates or charges, and all expenses that Council has incurred in attempting to sell the land; or (b) the land has been sold; or (c) 1 year after the notice of intention to sell was given to the registered owner.	Section 141(3) <i>Local Government Regulation 2012</i>	
Power, in circumstances where Council has ended sale procedures, to decide to sell the land again under section 140(2).	Section 141(4) <i>Local Government Regulation 2012</i>	
Power to carry out the procedures to sell land for overdue rates or charges.	Section 142 <i>Local Government Regulation 2012</i>	
Power to set a reserve price at the auction of the land for overdue rates and charges in accordance with section 143(1).	Section 143(1) <i>Local Government Regulation 2012</i>	
Power, if the reserve price for the land is not reached at the auction, to enter into negotiations with any bidder who attended the auction to sell the land by agreement (for a price not less than the reserve price).	Section 143(2) and (3) <i>Local Government Regulation 2012</i>	
Power, after the day of the auction, to decide to continue to offer the land for sale by another auction, or sale by negotiation.	Section 144(1) <i>Local Government Regulation 2012</i>	
Power to end any negotiations entered into under section 143(2) when a decision is made under section 144(1).	Section 144(2) <i>Local Government Regulation 2012</i>	
Power to prepare a sales notice if Council decides to offer the land for sale by negotiation under section 144.	Section 144(4) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to: <ul style="list-style-type: none"> <li>(a) give a copy of the sales notice to each interested party who was given a notice of intention to sell the land; and</li> <li>(b) publish the sales notice on Council's website; and</li> <li>(c) display the sales notice in a conspicuous place in Council's public office; and</li> <li>(d) display the sales notice in a conspicuous place on the land unless it is not reasonably practicable to do so because the land is in a remote location or difficult to access; and</li> <li>(e) take all reasonable steps to publish the sales notice in another way to notify the public about the sale of the land.</li> </ul>	Section 144(5) <i>Local Government Regulation 2012</i>	
Power, if the land is a building unit and it is not practicable to display the sales notice in a conspicuous place on the land, to display the notice in a conspicuous part of the common property for the building units.	Section 144(6) <i>Local Government Regulation 2012</i>	
Power to ensure that the price for land offered for sale by negotiation is at least – <ul style="list-style-type: none"> <li>(a) the market value of the land; or</li> <li>(b) the higher of the following –               <ul style="list-style-type: none"> <li>(i) the amount of the overdue rates or charges on the land;</li> <li>(ii) the value of the land.</li> </ul> </li> </ul>	Section 144(7) <i>Local Government Regulation 2012</i>	
Power, in the circumstances set out in subsection (1), to give the registrar of titles an appropriate form.	Section 145(2) <i>Local Government Regulation 2012</i>	
Power to use the proceeds of sale of the land for the purposes and in the order specified.	Section 146 <i>Local Government Regulation 2012</i>	
Power, where Council has by resolution decided to acquire the land for overdue rates or charges, to give all interested parties a notice of intention to acquire the land.	Section 149(2) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, in the circumstances set out in subsection (1), to start the procedures to acquire land for overdue rates or charges.	Section 150(2) <i>Local Government Regulation 2012</i>	
Power, where Council has been paid the amount of the overdue rates or charges, and all expenses that Council has incurred in attempting to acquire the land, to end the procedures for acquiring the land.	Section 150(3) <i>Local Government Regulation 2012</i>	
Power to carry out the procedures to acquire land for overdue rates or charges.	Section 151 <i>Local Government Regulation 2012</i>	
Power to keep a land record.	Section 154(1) <i>Local Government Regulation 2012</i>	
Power to include in a land record any other information considered appropriate.	Section 154(2)(e) <i>Local Government Regulation 2012</i>	
Power to provide access to or give copies of the land record kept by Council (including parts of the land record).	Section 155(4) <i>Local Government Regulation 2012</i>	
Power to record the details of the new owner in the land record.	Section 162 <i>Local Government Regulation 2012</i>	
Power to keep a written record, in the way required by subsection (2), which states the matters identified in subsection (1).	Section 164 <i>Local Government Regulation 2012</i>	
Power to discharge Council's responsibilities in a way that is consistent with the adopted 5-year corporate plan.	Section 165(4) <i>Local Government Regulation 2012</i>	
Power to spend money in a financial year before the budget is adopted if Council provides for that spending in the budget for the financial year.	Section 173(1) <i>Local Government Regulation 2012</i>	
Power to amend Council's annual budget for the 2020-2021 financial year to take account of an extraordinary decision.	Section 173A(2) <i>Local Government Regulation 2012</i>	
Power to discharge Council's responsibilities in a way that is consistent with the adopted annual operational plan.	Section 174(5) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to omit information from the copies of the annual performance plan (which is part of the annual operational plan) made available to the public if subsections (3)(a) and (b) are satisfied.	Section 175(3) <i>Local Government Regulation 2012</i>	
Power to publish Council's annual report on Council's website.	Section 182(4) <i>Local Government Regulation 2012</i>	
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 <i>Local Government Regulation 2012</i>	
Power to spend money on entertainment or hospitality consistent with the local government's entertainment and hospitality policy.	Section 196(2) <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	
Power to allow the public to inspect and purchase copies of the documents referred to in subsection (1).	Section 199(2) <i>Local Government Regulation 2012</i>	
Power to:- 1. establish a trust fund; 2. deposit trust money in a financial institution account; and 3. reconcile the assets of the trust fund with the liabilities of the trust fund at least monthly.	Section 200 <i>Local Government Regulation 2012</i>	
Power to transfer money to or from a trust fund in accordance with section 201.	Section 201 <i>Local Government Regulation 2012</i>	
Power to make publicly available an availability notice.	Section 201B(4) <i>Local Government Regulation 2012</i>	
Power to publish a notice given under subsection 202A(1) on Council's website.	Section 202A(2) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to establish separate accounting records for Council's:- (a) operations; and (b) its trust fund.	Section 203 <i>Local Government Regulation 2012</i>	
Power to prepare a financial report.	Section 204 <i>Local Government Regulation 2012</i>	
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 <i>Local Government Regulation 2012</i>	
Power to appoint the members of the audit committee.	Section 210(1) <i>Local Government Regulation 2012</i>	
Power to appoint one of the members of the audit committee as chairperson.	Section 210(3) <i>Local Government Regulation 2012</i>	
Power to give the financial statements referred to in subsections (1) and (2) to the auditor-general.	Section 212 <i>Local Government Regulation 2012</i>	
Power, in the circumstances set out in subsection (1), to give the Minister a notice and any documents about a controlled entity that Council considers to be relevant to a notifiable event.	Section 213A(2) <i>Local Government Regulation 2012</i>	
Power, if a governing document of a Council controlled entity changes, to give the Minister a notice stating details of the change and a copy of the governing document as amended.	Section 213A(3) <i>Local Government Regulation 2012</i>	
Power, in the circumstances set out in subsection (1), to obtain a copy of the audited financial statements of the controlled entity.	Section 213B(2) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to ensure that a copy or a link to a copy of the controlled entity's audited financial statements is published on Council's website.	Section 213B(4) <i>Local Government Regulation 2012</i>	
Power to give the department's chief executive a notice stating that Council has paid notional GST for the previous financial year.	Section 215 <i>Local Government Regulation 2012</i>	
Power to give the public notice of a proposed resolution to apply Chapter 6, part 2 to its contracts.	Section 218(2)(b) <i>Local Government Regulation 2012</i>	
Power to allow the public to inspect and buy copies of the contracting plan that has been adopted.	Section 220(8) <i>Local Government Regulation 2012</i>	
Power to set the value limit for valuable non-current assets other than land.	Section 224(7)(b) <i>Local Government Regulation 2012</i>	
Power to invite written quotes for a medium-sized contractual arrangement.	Section 225(1) <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	
Power to enter a medium-sized contractual arrangement after first inviting written quotes for the contract.	Section 225 <i>Local Government Regulation 2012</i>	
Power to invite written tenders for a large-size contractual arrangement.	Section 226(1) <i>Local Government Regulation 2012</i>	
Power to enter a large-sized contractual arrangement after first inviting written tenders for the contract.	Section 226 <i>Local Government Regulation 2012</i>	
Power to invite written tenders for a valuable non-current asset contract or to offer a non-current asset for sale by auction.	Section 227(1) <i>Local Government Regulation 2012</i>	
Power to enter a valuable non-current asset contract after first inviting written tenders for the contract or offering the non-current asset for sale by auction.	Section 227 <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to invite expressions of interest pursuant to section 228.	Section 228(2)(b) <i>Local Government Regulation 2012</i>	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.
Power to take all reasonable steps to publish an invitation for tenders or expressions of interest in another way to notify the public about the tender process.	Section 228(6) <i>Local Government Regulation 2012</i>	
Power to prepare a shortlist of people from the persons who responded to the invitation for expressions of interest and to invite written tenders from those persons.	Section 228(7) <i>Local Government Regulation 2012</i>	
Power to invite all persons who submitted a tender to change their tender to take account of a change in the tender specifications.	Section 228(8) <i>Local Government Regulation 2012</i>	
Power to decide to accept a tender or not to accept any tenders it receives.	Sections 228(9) and (10) <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	
Power to put together an approved contractor list in accordance with section 231(4).	Section 231(4) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Local Government Regulation 2012</i>	
Power to establish a register of pre-qualified suppliers of particular goods or services.	Section 232(3) <i>Local Government Regulation 2012</i>	
Power to invite suppliers to tender to be on a register of pre-qualified suppliers.	Section 232(4) <i>Local Government Regulation 2012</i>	
Power to take all reasonable steps to publish an invitation in another way to notify the public about establishing the register of pre-qualified suppliers.	Section 232(6) <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	
Power to enter a preferred supplier arrangement.	Section 233(2) <i>Local Government Regulation 2012</i>	
Power to invite persons to tender for a preferred supplier arrangement.	Section 233(3) <i>Local Government Regulation 2012</i>	
Power to take all reasonable steps to publish an invitation to tender in another way to notify the public about the tender process.	Section 233(5) <i>Local Government Regulation 2012</i>	
Power to enter into a contract for goods and services under an LGA arrangement.	Section 234(1) <i>Local Government Regulation 2012</i>	
Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in circumstances specified in section 235.	Section 235 <i>Local Government Regulation 2012</i>	
<i>Nb. For subsections 235(a) and 235(b) it is a legislative precondition to the exercise of the power that Council first pass the resolution referred to in the respective subsection.</i>		

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to dispose of a valuable non-current asset other than by tender or auction in circumstances specified in section 236.  <i>Nb. For subsections 236(1)(a) to 236(1)(e) it is a legislative precondition to the exercise of the power that Council first pass the resolution referred to in subsection 236(2).</i>	Section 236 <i>Local Government Regulation 2012</i>	
Power to publish and display relevant details of a contractual arrangement worth \$200,000.00 or more (exclusive of GST).	Section 237 <i>Local Government Regulation 2012</i>	
Power to pay remuneration to each councillor.	Section 247(1) <i>Local Government Regulation 2012</i>	
Power, in the circumstance identified in subsection (1), to make a submission to the remuneration commission for approval to pay a councillor an amount of remuneration of more than the maximum amount.	Section 248(2) <i>Local Government Regulation 2012</i>	
Power to make the adopted expenses reimbursement policy available for inspection and purchase by the public and to publish that policy on Council's website.	Section 251 <i>Local Government Regulation 2012</i>	
Power to publish a notice of the days and times when ordinary meetings will be held on Council's website and in other ways considered appropriate (Council and standing committee meetings).	Section 254B(1) and (2) <i>Local Government Regulation 2012</i>	
Power to display in a conspicuous place in Council's public office a notice of the days and times when meetings will be held (Council and committee meetings).	Section 254B(3) <i>Local Government Regulation 2012</i>	
Power to notify of any change to the days and times of meetings mentioned in section 254B(1) and (3) in the same way as the meetings were previously notified.	Section 254B(4) <i>Local Government Regulation 2012</i>	
Power to give notice of each meeting or adjourned meeting to each councillor or committee member in accordance with section 254C(1) and (2).	Section 254C(1) and (2) <i>Local Government Regulation 2012</i>	
Power to make the agenda for a Council or committee meeting publicly available in accordance with section 254D(1).	Section 254D(1) <i>Local Government Regulation 2012</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make a related report for a Council or committee meeting publicly available in accordance with section 254D(2).	Section 254D(2) <i>Local Government Regulation 2012</i>	
Power to make a copy of the minutes of each Council or committee meeting publicly available in accordance with section 254F(6).	Section 254F(6) <i>Local Government Regulation 2012</i>	
Power to make a copy of the confirmed minutes publically available, and available for purchase at Council's public office in accordance with section 254F(7).	Section 254F(7) <i>Local Government Regulation 2012</i>	
Power to allow a person to take part in a meeting (Council and committee meetings) by audio link or audio visual link.	Section 254K <i>Local Government Regulation 2012</i>	
Power to give written notice of the intention to propose the repeal or amendment of a resolution.	Section 262 <i>Local Government Regulation 2012</i>	
Power, in the circumstances set out in subsection 277D(1), to ensure the meeting is available for real-time viewing or listening by the public at 1 of the local government's public offices or on the local government's website.	Section 277D(2) <i>Local Government Regulation 2012</i>	
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) <i>Local Government Regulation 2012</i>	
Power, as a former employer, to provide the new employer with the information specified in subsection (3).	Sections 287(3) <i>Local Government Regulation 2012</i>	
Power to make a copy of the register of interests of each councillor available for inspection by the public at Council's public office and an extract of the register available on its website.	Sections 295(1), (2) and (3) <i>Local Government Regulation 2012</i>	
Power where a register of interests for a councillor changes, to amend the copy and the extract to reflect the changes.	Section 295(4) <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Local Government Regulation 2012

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to ensure a register of interests kept under section 296A(1)(a) is available for inspection by the public at Council's public office for the period Council must keep the register.	Section 296A(2) <i>Local Government Regulation 2012</i>	
Power to do all things specified in subsection (4) in relation to Council's complaints management process and administrative action complaints.	Section 306(4) <i>Local Government Regulation 2012</i>	
Power to ensure that an extract of the register of interests for each councillor is made available for inspection under section 295 within 35 days after the commencement.	Section 364(1) <i>Local Government Regulation 2012</i>	
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 <i>Local Government Regulation 2012</i>	
Power to ensure the terms on which the cost of resources is based are similar to the terms on which they are made available in conducting the relevant entity.	Schedule 4 section 6 <i>Local Government Regulation 2012</i>	
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 <i>Local Government Regulation 2012</i>	
Power to work out tax equivalents for Commonwealth or State taxes Council is not liable to pay as a local government and keep details of the calculations.	Schedule 4 section 8 <i>Local Government Regulation 2012</i>	
Power to take account of amounts equivalent to the cost of funds advantage obtained over commercial interest rates because of a State guarantee.	Schedule 4 section 9 <i>Local Government Regulation 2012</i>	
Power to decide the amount for the return on capital used by a local government in conducting a relevant activity.	Schedule 4 section 10 <i>Local Government Regulation 2012</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mineral and Energy Resources (Common Provisions) Act 2014

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/01/2020
<b>Updated:</b>	91A(2)
<b>New:</b>	101D(1), 101E(2), 101F(3), 101F(4)(b)
<b>Removed:</b>	
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a public land authority, to agree in writing to a longer entry period.	Section 57(3) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a public land authority, to vary any condition it has imposed.	Section 59(7) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a public land authority for land, to give a waiver of entry notice.	Section 60(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a public road authority for a public road, to give a road use direction.	Section 64(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mineral and Energy Resources (Common Provisions) Act 2014

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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 <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as an eligible claimant, to enter a conduct and compensation agreement with the resource authority holder.	Section 83(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as an eligible claimant, to give a conference election notice to the resource authority holder.	Section 83A(2) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party to a conference with an authorised officer, to ask the other party for a longer period within which to hold the conference.	Section 83B(4) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as an eligible claimant, to use all reasonable endeavours to negotiate a conduct and compensation agreement or a deferral agreement.	Section 85(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as an eligible claimant, to agree to a longer negotiation period.	Section 85(2)(b) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mineral and Energy Resources (Common Provisions) Act 2014

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an eligible claimant, to enter an opt-out agreement.	Section 85(4) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as an eligible claimant, to give an ADR election notice.	Section 88(2) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, upon receipt of an ADR election notice pursuant to section 88(2), to accept or refuse the type of ADR and the ADR facilitator proposed in the notice.	Section 88(5) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as the party giving the ADR election notice and where the other party does not accept the type of ADR or ADR facilitator proposed in the notice, to obtain a decision from the Land Court or a prescribed ADR institute about the matter not accepted.	Section 88(6) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as the party giving the ADR election notice and where a decision has been obtained from the Land Court or a prescribed ADR institute about the matter not accepted in the notice, to give the other party notice of the decision.	Section 88(7) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party given or giving an ADR election notice, to participate in the conference and enter a conduct and compensation agreement.	Section 89(2) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party given or giving an ADR election notice, to ask the other party for, or agree to, a longer period to enter a conduct and compensation agreement.	Section 89(3) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party who attended the ADR and where the other party did not attend the 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 90 <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mineral and Energy Resources (Common Provisions) Act 2014

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, in the circumstances set out in subsection 91A(1), to give an arbitration election notice requesting the other party participate in an arbitration to decide the dispute.	Section 91A(2) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party given an arbitration election notice, to accept or refuse the request for arbitration.	Section 91A(4) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party to an arbitration, to jointly appoint the arbitrator proposed in the arbitration election notice or another arbitrator.	Section 91A(5) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as the party giving an arbitration election notice, to require a prescribed arbitration institute to appoint an arbitrator.	Section 91A(6) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party to an arbitration and where the circumstances of section 91E(2) apply, to agree with the other party about the payment of the fees and expenses of the arbitrator.	Section 91E(2) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party to an arbitration, to agree with the other party about the payment of each party's costs.	Section 91E(3) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a public road authority for a public road, to enter a road compensation agreement.	Section 94(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party given or giving an ADR election notice, and where a conduct and compensation agreement has not been entered and an arbitration election notice has not been given or has been given and not accepted, to apply to the Land Court to decide the dispute.	Section 96(2) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power to apply to the Land Court for a declaration that all or part of the stated costs are payable under section 91.	Section 96B(1)(a) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mineral and Energy Resources (Common Provisions) Act 2014

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an eligible claimant, to apply to the Land Court for an order requiring payment of negotiation and preparation costs under section 91.	Section 96B(1)(b) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party to a compensation agreement, to apply to the Land Court for an order about the alleged breach.	Section 99A(2) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as an owner or occupier of land that may be affected by a resource authority, to give notice to an authorised officer of concerns relating to the resource authority.	Section 101D(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as an owner or occupier of land or another person interested in the concern, to participate in a conference conducted by the authorised officer, including agreeing to a settlement of the concern the subject of the conference.	Sections 101E(2) and 101F(3) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
Power, as a party who attends a conference, to apply to the Land Court for an order requiring a party who did not attend the conference to pay the attending party's reasonable costs of attending.	Section 101F(4)(b) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	
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) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Mineral Resources Act 1989

Document Reviewed:	24/02/2020
Reprint:	01/10/2020
Updated:	
New:	
Removed:	335G, 335H
Note:	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make a note on each relevant map in Council's planning scheme.	Section 4B(3) <i>Mineral Resources Act 1989</i>	
Power to give the chief executive a written notice for the taking of land for which mining interests are extinguished.	Section 10AAA(9) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
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 <i>Mineral Resources Act 1989</i>	
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 <i>Mineral Resources Act 1989</i>	
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 <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Mineral Resources Act 1989

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the owner of land where a person purports to enter or be on the land under authority of a prospecting permit, to ask the person for proof of the person's authority to enter or be on the land.	Section 46(1) <i>Mineral Resources Act 1989</i>	
Power, as the owner of occupied land, to give written consent, including conditions on the consent, to a person entitled to enter the land under a prospecting permit to enter the land at night.	Sections 47(1) and (5) <i>Mineral Resources Act 1989</i>	
Power, as the owner of occupied land, to give written consent, including conditions on the consent, to a person entitled to enter the land under a parcel prospecting permit to enter the land at night.	Section 47(2) and (5) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
Power to attend a section 65 conference and to reach agreement about something discussed at the conference.	Sections 66 and 69 <i>Mineral Resources Act 1989</i>	
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 <i>Mineral Resources Act 1989</i>	
Power to withdraw an objection to a mining claim by giving written notice to the entities specified in subsection (1).	Section 71A <i>Mineral Resources Act 1989</i>	
Power, as an interested party, to agree with the applicant for a mining claim about the amount of compensation to be paid to Council and to sign the agreement.	Section 85(1)(a) and (3) <i>Mineral Resources Act 1989</i>	
Power, as an interested party, at any time before compensation is determined by agreement, to apply in writing to the Land Court to have the Land Court determine the amount of compensation.	Section 85(4) <i>Mineral Resources Act 1989</i>	
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 <i>Mineral Resources Act 1989</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Mineral Resources Act 1989

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an appellant pursuant to section 86, to lodge the security in the decided form and amount.	Section 86A(5) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
Power, as the owner of land, to agree an amount of compensation payable in respect of the proposed use of the land as access in respect of a mining claim as a result of a variation under section 125, sign the agreement and file the agreement.	Section 125(10) <i>Mineral Resources Act 1989</i>	
Power, as the owner of land where a person purports to enter or be on the land under authority of an exploration permit, to ask the person for proof of the person's authority to enter or be on the land.	Section 167(1) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
Power, as the owner of land where a person purports to enter or be on the land under authority of a mineral development licence, to ask the person for proof of the person's authority to enter or be on the land.	Section 216(1) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
Power to lodge an objection to an application for grant of a mining lease.	Sections 260(1) and (2) <i>Mineral Resources Act 1989</i>	
Power to serve a copy of the objection lodged against an application for grant of a mining lease on the applicant.	Section 260(4) <i>Mineral Resources Act 1989</i>	
Power to withdraw an objection lodged against an application for grant of a mining lease.	Section 261(1) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mineral Resources Act 1989

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the owner of restricted land, to give written consent to the application for the surface of restricted land for the mining lease to be included in the mining lease.	Section 275A(2)(a) <i>Mineral Resources Act 1989</i>	
Power, as the owner of restricted land, to agree with the applicant about the compensation payable to Council for the inclusion of the surface of the land in the mining lease.	Section 275A(2)(c) <i>Mineral Resources Act 1989</i>	
Power, as an owner of land the subject of an application to grant, renew or include the surface of restricted in a mining lease, to agree with the applicant for the lease about the amount of compensation to be paid to Council and to sign the agreement.	Sections 279(1)(a) and (3) <i>Mineral Resources Act 1989</i>	
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 and to sign the agreement.	Sections 280 <i>Mineral Resources Act 1989</i>	
Power, as a person who could be a party to an agreement under sections 279 or 280, to apply in writing to the Land Court to determine the amount of compensation.	Section 281(1) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
Power, as an appellant pursuant to section 282, to lodge the security in the decided form and amount.	Section 282A(5) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
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) <i>Mineral Resources Act 1989</i>	
Power, as the owner of land, to agree with the applicant about the compensation payable to Council for the proposed use of the land as access in respect of a mining lease as a result of a variation under section 317 and to sign the agreement.	Section 317(10) <i>Mineral Resources Act 1989</i>	
Power, as a landowner to whom a water monitoring bore is being transferred, to consent to the transfer.	Section 334ZZO <i>Mineral Resources Act 1989</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mineral Resources Act 1989

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the owner of affected land, to:- (a) give consent to the entry of the land; (b) impose reasonable conditions on the entry of the land; (c) withdraw consent for entry of the land; and (d) sign an acknowledgement of the consent.	Section 344G <i>Mineral Resources Act 1989</i>	
Power, as the owner of land, to enter a compensation agreement, to sign the agreement and to file it.	Section 345(2) <i>Mineral Resources Act 1989</i>	
Power, as a person who could be a party to a compensation agreement, to 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(3) <i>Mineral Resources Act 1989</i>	
Power as the owner or occupier of restricted land to consent, with or without conditions, to the entry of the land under section 386V.	Schedule 1, Section 2(1)	
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)	
Power as the owner of a reserve to impose conditions on the entry of the surface of the reserve under section 386V.	Schedule 1, Section 4	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mining and Quarrying Safety and Health Act 1999

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	07/09/2020
<b>Updated:</b>	
<b>New:</b>	259(3)
<b>Removed:</b>	
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an operator of a mine, to comply with the operator's obligations contained in subsections (1) and (2).	Section 38 <i>Mining and Quarrying Safety and Health Act 1999</i>	
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) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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(5) <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as an operator of a mine, to appoint a person to act as the site senior executive during the absence.	Section 52(1) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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) <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as an operator of a mine, to keep a mine record and make it available for inspection.	Section 59 <i>Mining and Quarrying Safety and Health Act 1999</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mining and Quarrying Safety and Health Act 1999

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a former operator, to give the new operator the mine record for the mine.	Section 59(5) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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) <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as a person with an obligation under the Act with access to the documents, to produce the documents.	Section 116(3) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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) <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as a person required to give reasonable help under section 136(3)(f), to comply with the requirement.	Section 137 <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as a person of whom the requirement is made, to comply with the requirement.	Section 143(3) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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) <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as a person of whom a document production requirement has been made, to comply with the requirement.	Section 152 <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as a person of whom a document certification requirement has been made, to comply with the requirement.	Section 153 <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as a person to whom a directive is given, to comply with the directive.	Section 171(2) <i>Mining and Quarrying Safety and Health Act 1999</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mining and Quarrying Safety and Health Act 1999

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as a person required to give primary information under subsection (1), to comply with the requirement.	Section 195A(3) <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power as a corporation on which a civil penalty is imposed to appeal against the chief executive's decision.	Section 216A(b) <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power to file a notice of appeal with an Industrial Magistrates Court and serve a copy of the notice.	Section 218(1) <i>Mining and Quarrying Safety and Health Act 1999</i>	
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, <i>Mining and Quarrying Safety and Health Act 1999</i>	
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 <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as a relevant corporation, to make a written submission to the chief executive to show why the civil penalty should not be imposed.	Section 246H <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as an operator, to advise a subsequent worker that the original worker exercised rights under subsection (1).	Section 253(4) <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as a person with obligation under the Act, to make a representation to an inspector or inspection officer.	Section 254 <i>Mining and Quarrying Safety and Health Act 1999</i>	
Power, as the person from whom the information was obtained, to consent to the disclosure of information concerning Council.	Section 255(1)(a) <i>Mining and Quarrying Safety and Health Act 1999</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Mining and Quarrying Safety and Health Act 1999**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a person give a notice by the CEO under subsection 259(1), to comply with the notice.	Section 259(3) <i>Mining and Quarrying Safety and Health Act 1999</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mining and Quarrying Safety and Health Regulation 2017

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/09/2020
<b>Updated:</b>	
<b>New:</b>	11D(2)(a), 11DA(2), 11DB(3), 11DC(2), 11DC(5), 145D(4), 145H(3)
<b>Removed:</b>	
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an operator, to ensure hazard identification for the mine's operations is done during the operations' planning and design.	Section 6(2) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a person who has an obligation under the Act to manage risk at a mine, to monitor risk in the person's own work and activities at the mine.	Section 9(1) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a responsible person for a mine, to pay a safety and health fee.	Section 11C(1) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a responsible person for a mine, to give the chief executive a safety and health census.	Section 11D(1) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a responsible person for a mine, to apply to the chief executive to extend the period to give the a safety and health census.	Section 11D(2)(a) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a responsible person for a mine, in the circumstances set out in subsection 11DA(1), to choose to give a safety and health census each financial year rather than each quarter.	Section 11DA(2) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mining and Quarrying Safety and Health Regulation 2017

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a responsible person for a mine, in the circumstances set out in subsection 11DB(1), to give the chief executive a safety and health census for the current quarter and each earlier quarter of the financial year, not previously given to the chief executive.	Section 11DB(3) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a responsible person for a mine, keep records enabling the accuracy of the information required to be included in the safety and health census to be verified.	Section 11DC(2) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a responsible person for a mine, to give the CEO the records within 14 days or a later period agreed in writing with the CEO.	Section 11DC(5) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a responsible person for a mine, to make submissions to the chief executive.	Section 11E(3) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mining and Quarrying Safety and Health Regulation 2017

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mining and Quarrying Safety and Health Regulation 2017

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a person who has an obligation under the Act to manage risk in relation to storing and handling hazardous chemical or dangerous goods, to ensure they are handled and stored in the manner prescribed under section 56.	Section 56 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Mining and Quarrying Safety and Health Regulation 2017

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
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 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as an operator, to ensure plant in use at the mine is serviced and maintained in accordance with section 109.	Section 109 <i>Mining and Quarrying Safety and Health Regulation 2017</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Mining and Quarrying Safety and Health Regulation 2017**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a worker's employer, to pay for the worker's health surveillance and health surveillance reports.	Section 131(6) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a worker's employer, to pay for the worker's health surveillance, respiratory health examination and health surveillance reports.	Section 145D(4) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	
Power, as a former worker's employer, to carry out the respiratory health surveillance.	Section 145H(3) <i>Mining and Quarrying Safety and Health Regulation 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Nature Conservation (Animals) Regulation 2020

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	22/08/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Register

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the owner of an airport, in the circumstances listed in subsection 42(1), to:- (a) take the animal at the airport; (b) remove or otherwise deal with an animal breeding place used by the animal; (c) keep an animal taken for the purpose of releasing it; and (d) release the animal into a prescribed natural habitat for the animal.	Sections 42(2) and (3) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power, as the owner of an airport, to keep a record for an animal taken under section 42(2).	Section 43(1) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power, in the circumstances listed in subsection 61(1) to:- (a) destroy the flying-fox roost; (b) drive away, or attempt to drive away, a flying-fox from the roost; and (c) disturb a flying fox in the roost.	Section 61(2) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to carry out the activities listed in subsection 62(1) in relation to a tree that is a flying-fox roost.	Section 62(1) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to apply to the chief executive for the grant of an animal authority.	Section 235 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to comply with a notice from the chief executive asking for other information or a document the chief executive requires to decide the application.	Section 242(4) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to amend an application for the grant of an animal authority.	Section 243 <i>Nature Conservation (Animals) Regulation 2020</i>	

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### Nature Conservation (Animals) Regulation 2020

Power, as the holder of a renewable licence, to apply to renew the licence.	Section 258 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power, as the holder of an animal authority, to apply for an amendment of the authority.	Section 265 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to comply with a notice from the chief executive asking for other information or a document the chief executive requires to decide the amendment application.	Section 266(1) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to amend an application for the amendment of an animal authority.	Section 267 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to comply with a notice from the chief executive the holder the opportunity to make written representations to the chief executive about why the proposed amendment should not be made.	Section 271(1) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to make written representations to the chief executive about why the chief executive should not suspend or cancel an animal authority.	Section 275(1) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to return an animal authority that has been amended to the chief executive.	Section 276 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to return an animal authority that has been suspended to the chief executive.	Section 277 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to return an animal authority that has been cancelled to the chief executive.	Section 278 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to apply to have an animal authority that has been damaged, destroyed, lost or stolen, replaced.	Section 279 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to surrender an animal authority (with an accompanying notice of surrender) to the chief executive.	Section 280 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to apply to the chief executive to amend the urban flying-fox management area map.	Section 371 <i>Nature Conservation</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Nature Conservation (Animals) Regulation 2020

	<i>(Animals) Regulation 2020</i>	
Power to provide information to the chief executive that is relevant to the removal of an urban flying-fox management area from the urban flying-fox management area map.	Section 372 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power, as an affected person, to apply to the chief executive for a review of the decision.	Section 379(1) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power, as an affected person, to ask the chief for an information notice for the decision.	Section 379(2) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to agree to a longer period for the chief executive to comply with section 381(1).	Section 381(2) <i>Nature Conservation (Animals) Regulation 2020</i>	
Power, as an affected person, to apply to QCAT for a stay of the operation of a decision.	Section 382 <i>Nature Conservation (Animals) Regulation 2020</i>	
Power to apply to QCAT for a review of an internal review decision.	Section 383 <i>Nature Conservation (Animals) Regulation 2020</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Nature Conservation (Plants) Regulation 2020

Document Reviewed:	24/02/2020
Reprint:	22/08/2020
Updated:	
New:	
Removed:	
Note:	New Register

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the holder of a plant authority, to ensure a relevant person carrying out an activity under the authority has a copy of the authority endorsed by the holder with the relevant person's name and residential address available for inspection.	Section 63(2) <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a plant authority, to:- (a) give the chief executive a notice stating the nature of the change and (b) apply to the chief executive for an amendment of the authority to reflect the change.	Section 64(1) <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a protected plant growing licence, to carry out the activities listed in section 71.	Section 71 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a protected plant harvesting licence, to take an authorised plant in accordance with section 79.	Section 79 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a protected plant clearing permit, to carry out the activities listed in section 89.	Section 89 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power to apply to the chief executive for the grant of a plant authority.	Section 97 <i>Nature Conservation (Plants) Regulation 2020</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Nature Conservation (Plants) Regulation 2020

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to comply with a request from the chief executive asking for other information or a document the chief executive requires to decide the application.	Section 105 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power to amend an application for the grant of a plant authority.	Section 107 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a plant authority, to apply to amend the authority.	Section 117 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a plant authority, to make written representations to the chief executive about why a proposed amendment to the plant authority should not be made.	Section 121 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a plant authority, to make written representations to the chief executive about why the chief executive should not suspend or cancel the plant authority.	Section 124 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power to return a plant authority that has been amended to the chief executive.	Section 125 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power to return a plant authority that has been suspended to the chief executive.	Section 126 <i>Nature Conservation (Plants) Regulation 2020</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Nature Conservation (Plants) Regulation 2020

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to return a plant authority that has been cancelled to the chief executive.	Section 127 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power to apply to have a plant authority that has been damaged, destroyed, lost or stolen, replaced.	Section 128 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power to surrender a plant authority (with an accompanying notice of surrender) to the chief executive.	Section 129 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power to ask the chief executive to agree to reduce the area of the usual buffer zone for an area to be cleared.	Section 134 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a protected plant licence in the circumstances set out in subsection 152(1), to keep a protected plant harvest record.	Section 152 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a protected plant licence in the circumstances set out in subsection 153(1), to keep a protected plant trade record.	Section 153 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a plant authority in the circumstances set out in subsection 154(1), to keep a record of the information listed in subsection 154(2).	Section 154 <i>Nature Conservation (Plants) Regulation 2020</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Nature Conservation (Plants) Regulation 2020

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the holder of a plant authority in the circumstances set out in subsection 155(1), to keep a record of the information listed in subsection 155(2).	Section 155 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a plant authority in the circumstances set out in subsection 163(1), to give the chief executive a notice stating the record or copy has been stolen, lost, destroyed or damaged.	Section 163 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a protected plant harvesting licence in the circumstances set out in subsection 167(1), to attach a tag supplied under section 165 to the plant.	Section 167 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a protected plant licence in the circumstances set out in subsection 173(1), to attach a protected plant harvest label.	Section 173 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a protected plant harvesting licence in the circumstances set out in subsection 174(1), to attach a protected plant trade label.	Section 174 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as the holder of a protected plant harvesting licence in the circumstances set out in subsection 175(1), to mark or label a container containing the plant with the words required by subsection 175(2).	Section 175 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, in the circumstances set out in subsection 177(2), to remove a harvest label.	Section 177 <i>Nature Conservation (Plants) Regulation 2020</i>	

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### Nature Conservation (Plants) Regulation 2020

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an affected person, to apply for a review of a decision.	Section 190(1) <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as an affected person, to ask the chief executive for an information notice for the decision.	Section 190(2) <i>Nature Conservation (Plants) Regulation 2020</i>	
Power to agree to a longer period for the chief executive to comply with section 192.	Section 192 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, as an affected person, to apply to QCAT for a stay of the operation of a decision.	Section 193 <i>Nature Conservation (Plants) Regulation 2020</i>	
Power, in the circumstances set out in subsection 194(1), to apply to QCAT for a review of an internal review decision.	Section 194 <i>Nature Conservation (Plants) Regulation 2020</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Nature Conservation (Protected Areas Management) Regulation 2017

Document Reviewed:	24/02/2020
Reprint:	01/10/2020
Updated:	
New:	
Removed:	
Note:	New Reprint. No Changes *This register only includes powers for councils that are trustees of a conservation park listed in schedule 1.*

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as trustee of a conservation park listed in schedule 1, column 1, to exercise the powers of the chief executive stated in schedule 1, column 3 for that park.	Section 14(2)(b) <i>Nature Conservation (Protected Areas Management) Regulation 2017</i>	
Power, as trustee of a conservation park listed in schedule 1, column 1, to use a fee charged for a service provided in the park for giving effect to the management principles for the park	Section 16(2) <i>Nature Conservation (Protected Areas Management) Regulation 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Nature Conservation Act 1992

<b>Document Reviewed:</b>	26/02/2020
<b>Reprint:</b>	13/02/2020
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	New Reprint. No changes. * 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.*

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a person given written notice about a proposal to declare an area of land a special wildlife reserve, to make a submission to the Minister about the proposal.	Section 43A(6) <i>Nature Conservation Act 1992</i>	
Power, as a landholder, to enter a conservation agreement with the Minister for a proposed special wildlife reserve.	Section 43B(1) <i>Nature Conservation Act 1992</i>	
Power, as a landholder, to agree with the Minister to amend a conservation agreement for a special wildlife reserve.	Section 43E(1) <i>Nature Conservation Act 1992</i>	
Power, as a landholder of land in a special wildlife reserve, to consent to the Minister giving a lease, agreement, licence, permit or other authority over or in relation to the land.	Section 43F(1) <i>Nature Conservation Act 1992</i>	
Power, as a landholder of land in a special wildlife reserve, to give a lease or sublease over the land, to obtain the consent of the chief executive for that lease or sublease, and to lodge the lease for registration with the entity required by section 43F(3).	Sections 43F(1)(c) and 43F(3) <i>Nature Conservation Act 1992</i>	
Power, where a special wildlife reserve is declared over freehold land or land in a lease under the <i>Land Act 1994</i> , and Council intends, under the <i>Land Act 1994</i> to surrender all or part of the freehold land or lease, allow the lease to expire at the end of its term or transfer the lease, to obtain the chief executive's written consent.	Section 43L <i>Nature Conservation Act 1992</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Nature Conservation Act 1992

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a landholder, to make a submission to the Minister about the proposed declaration of a nature refuge.	Section 44(4) <i>Nature Conservation Act 1992</i>	
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) <i>Nature Conservation Act 1992</i>	
Power, as a landholder, to request the cancellation of a conservation agreement.	Section 47(2) <i>Nature Conservation Act 1992</i>	
Power, as a landholder, to make an objection to a proposed compulsory declaration of a nature refuge.	Section 49(2)(c) <i>Nature Conservation Act 1992</i>	
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) <i>Nature Conservation Act 1992</i>	
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 <i>Nature Conservation Act 1992</i>	
Power, as a landholder of land subject to an interim conservation order, to claim compensation.	Section 108(1) <i>Nature Conservation Act 1992</i>	
Power, as a landholder, to make a submission about a draft management plan.	Section 115A(3)(c) <i>Nature Conservation Act 1992</i>	
Power, as a landholder intending to enter a conservation agreement for a special wildlife reserve, to prepare and give the Minister a management program for the reserve.	Section 120EA <i>Nature Conservation Act 1992</i>	
Power, as a landholder of land in a special wildlife reserve, to prepare an amended management program for the reserve and give it to the chief executive for approval.	Section 120EF(1) <i>Nature Conservation Act 1992</i>	
Power, as a landholder of land in a special wildlife reserve, to jointly review the management program for the reserve with the chief executive, and agree to prepare an amended management program under section 120EF or leave the management program unchanged.	Section 120GA <i>Nature Conservation Act 1992</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Nature Conservation Act 1992**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Nature Conservation Act 1992</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Peaceful Assembly Act 1992

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	08/11/2013
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to nominate an officer of Council as a "representative".	Section 4 <i>Peaceful Assembly Act 1992</i>	
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 <i>Peaceful Assembly Act 1992</i>	
Power, as an owner or occupier, to give a notice under subsection (2)(c).	Section 10(2)(c) <i>Peaceful Assembly Act 1992</i>	
Power, as a relevant authority, to consult under subsections (4) or (5).	Sections 11(4) or (5) <i>Peaceful Assembly Act 1992</i>	
Power, as a relevant authority, to apply to a Magistrates Court for an order refusing to authorise the holding of the assembly.	Section 12 <i>Peaceful Assembly Act 1992</i>	
Power, as a relevant authority, to consult with each interested person.	Section 13(1)(c) <i>Peaceful Assembly Act 1992</i>	
Power, as a relevant authority, to engage in a mediation process.	Section 13(1)(d) <i>Peaceful Assembly Act 1992</i>	
Power, in the circumstances provided in subsection (3), to:- (a) fix a reasonable time and place for holding the consultations; and (b) cause a notice of the time and place to be published in a newspaper circulating in the area in which the assembly is proposed to be held.	Section 13(3) <i>Peaceful Assembly Act 1992</i>	
Power, as a relevant authority, to notify the organiser in writing that it does not oppose the holding of the assembly.	Section 15(1) <i>Peaceful Assembly Act 1992</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Peaceful Assembly Act 1992**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a relevant authority, to participate in a mediation process.	Section 15(2) <i>Peaceful Assembly Act 1992</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO Planning Act 2016

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/10/2020
<b>Updated:</b>	18, 20
<b>New:</b>	275V(3), 275W, 275Y(3), 275Y(4), 275Z(2), 275ZA, 275ZAA(2) 275ZF(3)(a), 275ZH(2)(a), 275ZH(2)(c),
<b>Removed:</b>	
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make submissions to the Minister about the making or amending of a State Planning instrument.	Section 10 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
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 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
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 <i>Planning Act 2016</i>	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
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 <i>Planning Act 2016</i>	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
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 <i>Planning Act 2016</i>	This delegation does not include the power to decide to repeal the TLPI or planning scheme policy which is required to be exercised by Council pursuant to a resolution of Council (see subsection (1)).

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO Planning Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Planning Act 2016</i>	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
Power to decide whether or not to agree to a superseded planning scheme request and give notice of the decision.	Section 29 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
Power, as an affected party, to make submissions about the proposal to the Minister.	Section 37(4) <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
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) <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
Power, as the assessment manager and where the circumstances of section 45(6) apply, to give the weight considered appropriate in the circumstances to the documents referenced in section 45(8).	Section 45(8) <i>Planning Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Planning Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
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) <i>Planning Act 2016</i>	
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) <i>Planning Act 2016</i>	
Power, as the owner of premises, to give written consent to the making of the development application.	Section 51(2)	
Power to act as a "referral agency" for all development applications and cancellation applications received by Council as a referral agency under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a referral agency and consider all matters as detailed in sections 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109 <i>Planning Act 2016</i>	
Power to consult with the Minister about making or amending the instrument mentioned in subsection (8)(c).	Section 64(9)	
Power to act as a "responsible entity" for all change applications received by Council as a responsible entity under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a responsible entity and consider all matters as detailed in sections 78A, 79, 80, 81, 81A, 81B, 82, 83, 93 and 100, 105, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 78A, 79, 80, 81, 81A, 81B, 82, 83, 93 and 100, 105, 107 and 109 <i>Planning Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO Planning Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Planning Act 2016</i>	
Power to act as an "additional referral agency" for a change application where section 82A applies. For the avoidance of doubt, the power delegated includes the power to take all actions of an additional referral agency and consider all matters as detailed in section 82A of the <i>Planning Act 2016</i> .	Section 82A <i>Planning Act 2016</i>	
Power, as the owner of land, to give written consent to the cancellation application.	Section 84(3)(b)(i) <i>Planning Act 2016</i>	
Power, as a public utility, to give written consent to the cancellation application.	Section 84(3)(b)(iii) <i>Planning Act 2016</i>	
Power, as the owner of land, to give written consent to the extension application.	Section 86(2)(b)(ii) <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
Power to comply with a direction given by the Minister.	Section 93(2) <i>Planning Act 2016</i>	
Power to make submissions in response to a proposed call in notice received by Council.	Section 102 <i>Planning Act 2016</i>	
Power, as the decision-maker, to give the Minister reasonable help.	Section 105(3) <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
Power to carry out the steps required after making a charges resolution.	Section 118 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO Planning Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
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) <i>Planning Act 2016</i>	
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) <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
Power in the circumstances referred to in subsection (1) to, by notice given to the applicant, amend the infrastructure charges notice.	Section 137 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO Planning Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Planning Act 2016</i>	
Power, as a local government, to impose a development condition about non-trunk infrastructure.	Section 145 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
Power, as an enforcement authority, to give a show cause notice.	Section 167 <i>Planning Act 2016</i>	
Power, as an enforcement authority, to give an enforcement notice.	Section 168 <i>Planning Act 2016</i>	
Power to consult with a private certifier before giving an enforcement notice.	Section 169 <i>Planning Act 2016</i>	
Power to give notice of the giving or withdrawal of an enforcement notice to the chief executive.	Section 170 <i>Planning Act 2016</i>	
Power to bring offence proceedings for an offence against the Act.	Section 174 <i>Planning Act 2016</i>	
Power to consent to proceedings being brought on behalf of the corporation.	Section 175(1)(a) <i>Planning Act 2016</i>	
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) <i>Planning Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO Planning Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an enforcement authority in an offence proceeding, to apply for an order for the payment of the expenses.	Section 178(1)(b) <i>Planning Act 2016</i>	
Power to start proceedings in the P&E Court for an enforcement order.	Section 180 <i>Planning Act 2016</i>	
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) <i>Planning Act 2016</i>	
Power to apply to the P&E Court to cancel or change an enforcement order or interim enforcement order.	Section 181(4) <i>Planning Act 2016</i>	
Power, as an enforcement authority in an offence proceeding, to apply for a disposal order.	Section 214 <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
Power as an appellant to start an appeal.	Sections 229(2) and 230 <i>Planning Act 2016</i>	
Power as a respondent or co-respondent to be heard in an appeal.	Section 229(4) <i>Planning Act 2016</i>	
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) <i>Planning Act 2016</i>	
Power to elect to be a co-respondent in an appeal.	Section 230(6) <i>Planning Act 2016</i>	
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, <i>Planning Act 2016</i>	
Power to give the registrar information that the registrar reasonably requires for the proceedings.	Section 246(2) <i>Planning Act 2016</i>	
Power to appear as a party to a tribunal proceeding.	Section 248 <i>Planning Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO Planning Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make submissions to the tribunal.	Section 249 <i>Planning Act 2016</i>	
Power to give notice to the Registrar once a tribunal's direction or order has been complied with.	Section 257 <i>Planning Act 2016</i>	
Power to give an applicant the planning and development certificate applied for.	Section 265 <i>Planning Act 2016</i>	
Power to note the registration of premises on Council's planning scheme.	Section 267(13) <i>Planning Act 2016</i>	
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 <i>Planning Act 2016</i>	
Power to serve a document and give a copy of the document as permitted by section 275B.	Section 275B <i>Planning Act 2016</i>	
Power to consider whether matters in subsection (2) apply in relation to a plan application made by an applicant who is not the owner of the premises to which the plan application relates.	Section 275V(3) <i>Planning Act 2016</i>	
Power to approve a plan application under the Springfield structure plan in the circumstances set out in section 275W.	Section 275W <i>Planning Act 2016</i>	
Power to ask the applicant for further information about the non-SCG application.	Section 275Y(3) <i>Planning Act 2016</i>	
Power to refuse to decide non-SCG plan application until application complies with subsections (2) or (3).	Section 275Y(4) <i>Planning Act 2016</i>	
Power to have regard to statement about particular matters set out in subsection (1).	Section 275Z(2) <i>Planning Act 2016</i>	
Power to have regard to representations made under subsection (2).	Section 275ZAA(2) <i>Planning Act 2016</i>	
Power to notify particular entities set out in section of decisions about non-SCG applications.	Section 275ZA <i>Planning Act 2016</i>	
Power to confer with parties under the Springfield structure plan, section 11.1.3, in circumstances where entity elects to join a dispute under subsection (2).	Section 275ZF(3)(a) <i>Planning Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

Planning Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give new decision notice in circumstances where, in resolving a dispute, parties agree to the assessment manager for the development application or change application giving a new decision notice for the application.	Section 275ZH(2)(a) <i>Planning Act 2016</i>	
Power to give replacement infrastructure charges notice to application in circumstances where in resolving a dispute parties agree to the assessment manager for the development application or change application giving a new decision notice for the application.	Section 275ZH(2)(c) <i>Planning Act 2016</i>	
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) <i>Planning Act 2016</i>	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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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Development Assessment Rules

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	11/09/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an assessment manager, to determine if the application is a properly made application.	Section 1.2 <i>Development Assessment Rules</i>	
Power, as an assessment manager, to give a confirmation notice.	Section 2.3 <i>Development Assessment Rules</i>	
Power, as an assessment manager, to give an action notice.	Section 3.1 <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
Power, as an assessment manager, to give a confirmation notice if the applicant has complied with the action notice.	Section 3.4 <i>Development Assessment Rules</i>	
Power, as an assessment manager, to accept the application as a properly made application after giving an action notice.	Section 3.5 <i>Development Assessment Rules</i>	
Power, as an assessment manager, to agree on a further period for giving a confirmation notice.	Section 3.6(b) <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
Power, as a referral agency, to determine if the application is a properly referred application.	Section 6.2 <i>Development Assessment Rules</i>	
Power, as a referral agency, to give a referral confirmation notice.	Section 7.1 <i>Development Assessment Rules</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Development Assessment Rules

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a referral agency, to give the applicant an action notice.	Section 8.1(a) <i>Development Assessment Rules</i>	
Power, as a referral agency, to give a copy of the action notice to the assessment manager.	Section 8.1(b) <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
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) <i>Development Assessment Rules</i>	
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) <i>Development Assessment Rules</i>	
Power, as a referral agency, to agree to a further period for the referral agency assessment period.	Sections 9.2(a) and (b) <i>Development Assessment Rules</i>	
Power, as an assessing authority, to agree to receive further information from the applicant during the development assessment process.	Section 11.2 <i>Development Assessment Rules</i>	
Power, as an assessing authority, to make an information request.	Section 12.1 <i>Development Assessment Rules</i>	
Power, as an assessment manager, to agree to a further period in which to make the information request.	Section 12.2 <i>Development Assessment Rules</i>	
Power, as a referral agency, to agree to a further period in which to make the information request.	Section 12.4 <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
Power, as an assessing authority, to agree to a further period for the applicant to respond to the information request.	Section 13.1 <i>Development Assessment Rules</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Development Assessment Rules

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
Power, as an assessment manager, to accept properly made submissions and not properly made submissions.	Section 19.1 <i>Development Assessment Rules</i>	
Power, as an assessment manager, to agree to a further period to consider the submissions.	Section 19.3 <i>Development Assessment Rules</i>	
Power, as the assessment manager, to agree to a further period to assess and decide the application.	Section 22.1(a) <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
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) <i>Development Assessment Rules</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Development Assessment Rules

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Development Assessment Rules</i>	
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) <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
Power, as an assessing authority, despite section 11.1, to make an information request about the change.	Section 27.2 <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
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) <i>Development Assessment Rules</i>	
Power, as a concurrence agency, to agree to a further period for the giving of an amended referral agency response.	Section 28.4(b) <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Development Assessment Rules

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
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 <i>Development Assessment Rules</i>	
Power, as an assessment manager, to give a notice to the applicant extending the decision period until a day no later than 10 days after the end of the caretaker period.	Section 38.2 <i>Development Assessment Rules</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Planning and Environment Court Act 2016

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	13/05/2019
<b>Amended:</b>	21(2)(a)
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to start a declaratory proceeding.	Section 11(1) <i>Planning and Environment Court Act 2016</i>	
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) <i>Planning and Environment Court Act 2016</i>	
Power, as a party to a P&E Court proceeding, to participate in an ADR process.	Section 16 <i>Planning and Environment Court Act 2016</i>	
Power, as a party, to confer with the ADR registrar about the way to conduct the P&E Court proceeding.	Section 16(3) <i>Planning and Environment Court Act 2016</i>	
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) <i>Planning and Environment Court Act 2016</i>	
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) <i>Planning and Environment Court Act 2016</i>	
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) <i>Planning and Environment Court Act 2016</i>	
Power, as a party to a P&E Court proceeding, to agree to the ADR registrar or mediator disclosing information acquired as part of the ADR process.	Section 21(2)(a) <i>Planning and Environment Court Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Planning and Environment Court Act 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Planning and Environment Court Act 2016</i>	
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) <i>Planning and Environment Court Act 2016</i>	
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) <i>Planning and Environment Court Act 2016</i>	
Power to pay the expenses, including legal costs, incurred by the representative in relation to the proceeding.	Section 41(3) <i>Planning and Environment Court Act 2016</i>	
Power, as a party to a P&E Court proceeding, to appeal a decision in the proceeding.	Section 63(1) <i>Planning and Environment Court Act 2016</i>	
Power to apply to the Court of Appeal for leave to appeal.	Section 64(1) <i>Planning and Environment Court Act 2016</i>	
Power to file and serve a Notice of Appeal following the granting of leave by the Court of Appeal.	Section 64(2) <i>Planning and Environment Court Act 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Planning Regulation 2017

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	28/09/2020
<b>Updated:</b>	
<b>New:</b>	68E(1), 68E(3)(b), 68G(2), 68G(6)
<b>Removed:</b>	
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to extend the period mentioned in subparagraph (a).	Section 12(b) <i>Planning Regulation 2017</i>	
Power to publish certain material listed in subsection 1 on Council's website after adoption of economic support instrument.	Section 68E(1) <i>Planning Regulation 2017</i>	
Power to give a copy of the economic support instrument and adoption notice to the chief executive.	Section 68E(3)(b) <i>Planning Regulation 2017</i>	
Power to publish notice of revocation of an economic support instrument.	Section 68G(2) <i>Planning Regulation 2017</i>	
Power to give copy of notice of revocation of economic support instrument to the chief executive	Section 68G(6) <i>Planning Regulation 2017</i>	
Power, where the request complies with the criteria stated in section 2, to approve the request.	Schedule 18, Section 3(1) <i>Planning Regulation 2017</i>	
Power to give notice of the approval to the person making the request.	Schedule 18, Section 3(2) <i>Planning Regulation 2017</i>	
Power to keep the documents listed in subsection (1) available for inspection and purchase.	Schedule 22, Section 1 <i>Planning Regulation 2017</i>	
Power to keep the documents listed in subsection (1) available for inspection only.	Schedule 22, Section 2 <i>Planning Regulation 2017</i>	
Power to publish the documents listed in subsections (1) and (4) on Council's website.	Schedule 22, Section 3 <i>Planning Regulation 2017</i>	
Power, in the circumstances prescribed in Schedule 22, Section 3A, to publish the documents listed in subsections (2), (4) and (5) on Council's website.	Schedule 22, Section 3A <i>Planning Regulation 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Planning Regulation 2017

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, in the circumstance prescribed in Schedule 22, Section 3B(1), to keep available for inspection and purchase a document that includes the trunk infrastructure information the local government publishes on its website from time to time under section 3A(4) or (5).	Schedule 22, Section 3B <i>Planning Regulation 2017</i>	
Power, as an assessment manager, to keep the documents listed in subsections (1) and (2) available for inspection and purchase.	Schedule 22, Section 5 <i>Planning Regulation 2017</i>	
Power, as an assessment manager, to keep the documents listed in subsection (1) available for inspection only.	Schedule 22, Section 6 <i>Planning Regulation 2017</i>	
Power, as an assessment manager, to publish the documents listed in subsections (1) and (4) on Council's website.	Schedule 22, Section 7 <i>Planning Regulation 2017</i>	
Power, as a referral agency, to keep the documents listed in subsections (a) to (d) available for inspection and purchase.	Schedule 22, Section 8 <i>Planning Regulation 2017</i>	
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 <i>Planning Regulation 2017</i>	
Power, as a referral agency, to publish the documents listed in subsections (a) to (d) on Council's website.	Schedule 22, Section 10 <i>Planning Regulation 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO *Plumbing and Drainage Act 2018*

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	02/07/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to approve a maximum temperature for a substance to be a prohibited substance for section 75.	Section 75(4)(e) <i>Plumbing and Drainage Act 2018</i>	
Power to approve the disposal of the contents of a greywater treatment plant into the sewerage system for the area in which the plant is located.	Section 77 <i>Plumbing and Drainage Act 2018</i>	
Power, where an explanatory statement given under section 83 states that Council may contact an occupier to arrange inspection of the work, to contact the occupier.	Section 83(7)(c) <i>Plumbing and Drainage Act 2018</i>	
Power to start a prosecution for an offence against the Act.	Section 90 <i>Plumbing and Drainage Act 2018</i>	
Power, generally, to administer the Act within Council's local government area.	Section 135 <i>Plumbing and Drainage Act 2018</i>	
Power to administer the Act those areas not under Council's control that it has been requested to administer by the entity that has control of the area.	Section 135(4) <i>Plumbing and Drainage Act 2018</i>	
Power to monitor greywater use facilities in Council's local government area.	Section 136 <i>Plumbing and Drainage Act 2018</i>	
Power to monitor an on-site sewerage facility in Council's local government area.	Section 137 <i>Plumbing and Drainage Act 2018</i>	
Power to appoint an authorised person as an inspector under this Act, with or without conditions.	Section 139(1) <i>Plumbing and Drainage Act 2018</i>	
Power to notify the QBCC commissioner of the appointment of an inspector and give the commissioner a list of Council's inspectors.	Section 142 <i>Plumbing and Drainage Act 2018</i>	
Power to give an enforcement notice to a person who carried out plumbing or drainage work requiring the person to take stated action.	Section 143(1) <i>Plumbing and Drainage Act 2018</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Plumbing and Drainage Act 2018

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give an enforcement notice to an owner of premises requiring the owner to take stated action.	Section 143(3) <i>Plumbing and Drainage Act 2018</i>	
Power to give a show cause notice to a person who Council proposes to give an enforcement notice.	Section 144(1) <i>Plumbing and Drainage Act 2018</i>	
Power to form the reasonable belief that the plumbing or drainage is a danger to persons or a risk to public health.	Section 144(2) <i>Plumbing and Drainage Act 2018</i>	
Power to receive written submissions from a person given a show cause notice.	Section 144(3)(b) <i>Plumbing and Drainage Act 2018</i>	
Power to form the reasonable belief that it is not possible or practical to take steps stated in section 145(2).	Section 145(2) <i>Plumbing and Drainage Act 2018</i>	
Power to consider written submissions from a person given a show cause notice.	Section 146(2)(b) <i>Plumbing and Drainage Act 2018</i>	
Power to give an action notice if provided for in a regulation.	Section 150 <i>Plumbing and Drainage Act 2018</i>	
Power to recover costs from the owner of premises for costs incurred in carrying out plumbing or drainage work on the premises if provided for in a regulation.	Section 157(2)(m) <i>Plumbing and Drainage Act 2018</i>	
Power to keep a register if provided for in a regulation.	Section 157(2)(n) <i>Plumbing and Drainage Act 2018</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Plumbing and Drainage Regulation 2019

<b>Document Reviewed:</b>	24/02/2020
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<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the chief executive for a treatment plant approval.	Section 16(1) <i>Plumbing and Drainage Regulation 2019</i>	
Power to apply to the chief executive to amend a treatment plant approval.	Section 16(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power to give the chief executive the information asked for under subsection (2).	Section 17(3) <i>Plumbing and Drainage Regulation 2019</i>	
Power, as the new holder, to give the chief executive notice of the transfer in the approved form.	Section 24(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power to comply with a notice issued by the chief executive under subsection (1)	Section 26(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power, as the owner of premises, to consent to the entry of the premises to carry out the inspection of the treatment plant.	Section 27(c) <i>Plumbing and Drainage Regulation 2019</i>	
Power, as the holder of a treatment plant approval, to make written representations about the show cause notice to the chief executive.	Section 29(1) <i>Plumbing and Drainage Regulation 2019</i>	
Power, as the holder of an existing treatment plant approval, to apply to the chief executive to renew the approval.	Section 34(1) <i>Plumbing and Drainage Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Plumbing and Drainage Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, where Council makes a fast-track work declaration or fast-track opt-out declaration, to:- (a) publish the declaration on Council's website; (b) give a copy of the declaration to the chief executive; (c) if Council is a participating local government for a distributor retailer – give a copy of the declaration to the distributor retailer; (d) ensure a copy of the declaration may be inspected, free of charge, at Council's public office.	Section 41 <i>Plumbing and Drainage Regulation 2019</i>	
Power, in a circumstance listed in subsection (1), to give the applicant an information request.	Section 45(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power to consider each properly made application and decide to:- (a) approve the application with or without conditions; or (b) refuse the application.	Section 46 <i>Plumbing and Drainage Regulation 2019</i>	
Power, where Council decides to approve an application, to:- (a) issue a permit, or an amended permit, to the applicant; and (b) give a copy of the permit, or amended permit, to each entity listed in subsection (b).	Section 48 <i>Plumbing and Drainage Regulation 2019</i>	
Power, in a circumstance listed in subsection (1), to give an information notice about the decision.	Section 50(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power to give written consent for an application relating to SEQ water work.	Section 53(e)(i) <i>Plumbing and Drainage Regulation 2019</i>	
Power to give written consent for an application relating to SEQ sewerage work.	Section 53(f)(i) <i>Plumbing and Drainage Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Plumbing and Drainage Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, where Council has issued a permit and has not given a final inspection certificate for the work carried out under the permit at least 3 months before the permit is to end, to give notice of the day the permit is to end to the entities listed in subsection (3).	Section 59(3) <i>Plumbing and Drainage Regulation 2019</i>	
Power in the circumstances listed in the subsection (1), to allow the responsible person to give a covered work declaration for the work.	Section 67(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power to inspect the work if the public sector entity asks Council to inspect the work under subsection (2).	Section 68(3) <i>Plumbing and Drainage Regulation 2019</i>	
Power to, instead of inspecting on-site sewage work, allow an appropriate person to give Council an on-site sewage work declaration.	Section 69(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power, where Council has passed a resolution under subsection (1), to:- (a) publish each declaration on its website; (b) give the chief executive a copy of the declaration; (c) ensure the declaration may be inspected, free of charge, at the local government's public office; and (d) ensure each remote area declaration includes a map identifying the remote area.	Section 71(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power, in the circumstances identified in subsection (1), to decide to:- (a) accept the remote area compliance notice; or (b) otherwise, refuse to accept the notice.	Section 73(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power, in the circumstances identified in subsection (1) and where Council has made a decision under subsection (2), to give the responsible person a decision notice.	Section 73(3) <i>Plumbing and Drainage Regulation 2019</i>	
Power, in the circumstances identified in subsection (1) and where Council has refused to accept the remote area compliance notice, to ensure the decision notice includes, or is accompanied by, an information notice.	Section 73(4) <i>Plumbing and Drainage Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Plumbing and Drainage Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, where Council is taken to have decided to refuse to accept the remote area compliance notice, to give an information notice about the decision.	Section 73(6) <i>Plumbing and Drainage Regulation 2019</i>	
Power, in the circumstances identified in subsection (1), to amend the approved plan so that it correctly represents the work carried out under the permit.	Section 75(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power to give an inspection certificate for the work to the responsible person for the work.	Section 83(1) <i>Plumbing and Drainage Regulation 2019</i>	
Power to give a final inspection certificate for the work to the responsible person for the work.	Section 84(1) <i>Plumbing and Drainage Regulation 2019</i>	
Power to give a copy of the final inspection certificate to the entities listed in subsection (1).	Section 86(1) <i>Plumbing and Drainage Regulation 2019</i>	
Power, where Council receives a notice under subsection (2), to comply with the notice.	Section 86(3) <i>Plumbing and Drainage Regulation 2019</i>	
Power, where Council is taken under subsection (2) to have decided to refuse to give an inspection certificate or final inspection certified, to give an information notice about the decision.	Section 87(3) <i>Plumbing and Drainage Regulation 2019</i>	
Power, where Council considers that a responsible person has not complied with the action notice, to give a copy of the notice to the owner of the premises.	Section 98(3) <i>Plumbing and Drainage Regulation 2019</i>	
Power to establish a program for:- (a) registering each testable backflow prevention device installed at premises in Council's area; (b) monitor the maintenance and testing of each device.	Section 101 <i>Plumbing and Drainage Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Plumbing and Drainage Regulation 2019

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, in the circumstances listed in subsection (1), to:- (a) remove the obstruction or fix the damage; and (b) fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and (c) recover as a debt from each owner, the owner's share of the cost.	Section 107(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power, in the circumstances listed in subsection (1), to require by notice to the owner of the old building and the owner of the new building:- (a) the owner of the old building to change the affected vents; and (b) the owner of the new building to pay the owner of the old building the reasonable cost of changing the affected vents.	Section 108(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power to keep a register containing each document listed in subsection (1).	Section 112 <i>Plumbing and Drainage Regulation 2019</i>	
Power to keep a register containing each notice given to Council under section 102(2) or 103(3).	Section 113 <i>Plumbing and Drainage Regulation 2019</i>	
Power to keep a register containing each service report for a greywater use facility or on-site sewage facility given to Council under section 106.	Section 114 <i>Plumbing and Drainage Regulation 2019</i>	
Power to keep a register containing a copy of each show cause notice and enforcement notice given by Council.	Section 115(1) <i>Plumbing and Drainage Regulation 2019</i>	
Power to remove a notice mentioned in subsection (1) from the register if the premises to which the notice relates are demolished or removed.	Section 115(2) <i>Plumbing and Drainage Regulation 2019</i>	
Power, in relation to each register kept under part 8, division 2, to allow a person to:- (a) inspect the register, free of charge, at Council's public office; or (b) buy a copy of an entry in the register for not more than the reasonable cost of producing the copy.	Section 116 <i>Plumbing and Drainage Regulation 2019</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

<b>Document Reviewed:</b>	24/02/2020
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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to administer and enforce the Act for Council's area.	Section 9 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to consider all applications for licences, and determine whether to grant or refuse the application.	Section 33 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to impose conditions on a licence.	Sections 38(2) and 41(1)(c) <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to decide the earlier ending date of a licence.	Section 40 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to consider all applications for renewals of licences, and determine whether to grant or refuse the application for renewal.	Section 44 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to consider all applications for amendments to licences, and determine whether to grant or refuse the application to amend the licence.	Section 47 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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) <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to issue a 'show cause notice'.	Section 52 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to consider all applications for a replacement licence, and determine whether to grant or refuse the application for the replacement licence.	Section 62 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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) <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to appoint authorised persons.	Section 70 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to apply conditions to an authorised person's powers under the Act by giving the person a signed notice.	Section 72 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to issue an identity card to an authorised person.	Section 74 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
<u>Power to prosecute a business proprietor or operator for the contravention of a relevant provision where the person fails to comply with the remedial notice and does not have a reasonable excuse.</u>	<u>Section 111(6) <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i></u>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to prosecute a business proprietor or operator for the contravention of a relevant provision <del>for which a remedial notice has been issued</del> without an authorised person first issuing a remedial notice for the contravention.	Section 111(7) <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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) <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to, upon request, review an original decision and make a determination according to section 122 of the Act.	Part 7, Division 1 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to deal with a thing forfeited to Council, including destroying the thing.	Section 140 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to commence proceedings against a person who has committed an offence against the Act.	Section 143 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
Power to approve forms to be used in the administration and enforcement of the Act.	Section 147 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	
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 <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Public Health Act 2005

<b>Document Reviewed:</b>	24/02/2020
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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Public Health Act 2005</i>	
Power, as an issuing authority, to apply to a magistrate for an order enforcing a public health order (an enforcement order).	Section 24(2) <i>Public Health Act 2005</i>	
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) <i>Public Health Act 2005</i>	
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 <i>Public Health Act 2005</i>	
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 <i>Public Health Act 2005</i>	
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) <i>Public Health Act 2005</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Public Health Act 2005

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a water service provider <sup>1</sup> , to inform the authorised person that Council believes that it has complied with an improvement notice issued under this division.	Section 57B <i>Public Health Act 2005</i>	
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) <i>Public Health Act 2005</i>	
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 <i>Public Health Act 2005</i>	
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 <i>Public Health Act 2005</i>	
Power, where given a notice under section 313E(2), to publish the pollution notice.	Section 313E(3) <i>Public Health Act 2005</i>	
Power, where Council incurs loss because of the exercise or purported exercise of a power by or for the chief executive under chapter 7A, to claim compensation from the State.	Section 313H <i>Public Health Act 2005</i>	
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) <i>Public Health Act 2005</i>	
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) <i>Public Health Act 2005</i>	

<sup>1</sup> Excludes SE Qld Councils  
As at April 2021

## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Public Health Act 2005

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Public Health Act 2005</i>	
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 <i>Public Health Act 2005</i>	
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 <i>Public Health Act 2005</i>	
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) <i>Public Health Act 2005</i>	
Power to deal with a thing forfeited as Council considers appropriate, including destroying the thing.	Section 446 <i>Public Health Act 2005</i>	
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 <i>Public Health Act 2005</i>	
Power to recover contribution from a prescribed person.	Section 454B(3) <i>Public Health Act 2005</i>	
Power to comply with the indemnity conditions in relation to each asbestos-related event to which the official conduct relates.	Section 454C(2) <i>Public Health Act 2005</i>	
Power to give notice of the proceeding to the State.	Section 454CA(2) <i>Public Health Act 2005</i>	
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 <i>Public Health Act 2005</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**  
**Public Health Act 2005**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to keep the records prescribed in subsections 454I(1), (2) for each asbestos-related event.	Section 454I <i>Public Health Act 2005</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Public Health Regulation 2018

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DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to administer and enforce Part 2, Divisions 1, 2 and 3.	Sections 6, 16, and 22 <i>Public Health Regulation 2018</i>	
Power to approve a site for the disposal of asbestos waste.	Section 12(2)(c) <i>Public Health Regulation 2018</i>	

As at April 2021

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Public Interest Disclosure Act 2010

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Note:	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Public Interest Disclosure Act 2010</i>	
Power to refer a disclosure to another public sector entity in certain circumstances.	Section 31(1) and (2) <i>Public Interest Disclosure Act 2010</i>	
Power to give a person making a disclosure, or an entity referring a disclosure, reasonable information about the disclosure.	Section 32(1) and (2) <i>Public Interest Disclosure Act 2010</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

Public Records Act 2002

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	03/05/2013
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<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make and keep records of Council's activities.	Section 7(1)(a) <i>Public Records Act 2002</i>	
Power to have regard to any relevant policy, standards and guidelines made by the archivist about the making and keeping of public records.	Section 7(1)(b) <i>Public Records Act 2002</i>	
Power to ensure the safe custody and preservation of Council's records.	Section 8(1) <i>Public Records Act 2002</i>	
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) <i>Public Records Act 2002</i>	
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) <i>Public Records Act 2002</i>	
Power to give a public record in Council's possession, which is 25 years old or less, to the State archivist.	Section 11(2) <i>Public Records Act 2002</i>	
Power to take action to ensure that a public record remains able to be produced or made available.	Section 14(2) <i>Public Records Act 2002</i>	
Power to give written notice to the State archivist of a restricted access period for a public record.	Section 16 <i>Public Records Act 2002</i>	
Power as a responsible public authority to give the State archivist a written notice stating— (a) the public authority has classified a record which has a restricted access period as a record to which unrestricted access is allowed; or (b) access to a record which has a restricted access period may be given on conditions stated in the notice.	Section 18(2)(b) <i>Public Records Act 2002</i>	
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) <i>Public Records Act 2002</i>	
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) <i>Public Records Act 2002</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**  
**Public Records Act 2002**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Public Records Act 2002</i>	
Power to make an arrangement with the State archivist for the storage of public records.	Section 28 <i>Public Records Act 2002</i>	
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) <i>Public Records Act 2002</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Queensland Heritage Act 1992

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	03/07/2017
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Queensland Heritage Act 1992</i>	
Power to make a heritage submission (including power to agree to a later day for making the submission).	Sections 41 and 42 <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	
Power to make oral representations to the Heritage Council about the recommendation.	Section 46(2)(a) <i>Queensland Heritage Act 1992</i>	
Power, as the owner, to make a written response to the Heritage Council about the recommendation.	Section 46(2)(b) <i>Queensland Heritage Act 1992</i>	
Power, as the owner, to consult with the chief executive about a proposed destroyed place recommendation.	Section 46A(1)(c) <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	
Power to request and make oral representations to the Heritage Council about the recommendation.	Sections 49 and 50 <i>Queensland Heritage Act 1992</i>	
Power, as the owner, to give the Heritage Council a heritage response to the heritage recommendation.	Section 50A <i>Queensland Heritage Act 1992</i>	
Power, as the owner, to agree in writing with the Heritage Council on a later day by which the heritage response must be given.	Section 50B(3) <i>Queensland Heritage Act 1992</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Queensland Heritage Act 1992

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	
Power to make a submission about development the State proposes to carry out on a Queensland heritage place.	Section 71 <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	
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) <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	
Power, as the owner of a Queensland heritage place, to comply with a repair and maintenance notice.	Section 84(6) <i>Queensland Heritage Act 1992</i>	
Power to give the chief executive notice of the discovery of an archaeological artefact or underwater cultural heritage artefact.	Section 89 <i>Queensland Heritage Act 1992</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Queensland Heritage Act 1992

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Queensland Heritage Act 1992</i>	
Power to apply to QCAT for an external review of a compensation decision.	Section 98 <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	
Power to respond to a show cause notice in relation to a proposal to cancel a permit to enter a protected area.	Section 110 <i>Queensland Heritage Act 1992</i>	
Power to appeal to the Planning & Environment Court in relation to those matters listed in subsection (1).	Section 111 <i>Queensland Heritage Act 1992</i>	
Power as a local government to keep a local heritage register for its area including all powers authorised or required by Part 11, Divisions 1, 1A, 2, 3 and 5, other than section 119, to keep the register. ###Please note that section 112B and Part 11 divisions 2 to 5 do not apply to those local governments identified in section 199##.	Sections 112, 112B, 113, 114, 116, 117, 118, 120, 122 <i>Queensland Heritage Act 1992</i>	
Power, as a person identified in subsection (1), to appeal to the Planning & Environment Court against the decision.	Section 161 <i>Queensland Heritage Act 1992</i>	
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 <i>Queensland Heritage Act 1992</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Queensland Reconstruction Authority Act 2011

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	11/04/2019
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	Reprint, no changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to request the Minister to declare a project for proposed development to be a declared project.	Section 42(5) <i>Queensland Reconstruction Authority Act 2011</i>	
Power to agree about the declaration of acquisition land.	Section 43(7) <i>Queensland Reconstruction Authority Act 2011</i>	
Power to request the Minister to declare a part of the State to be a reconstruction area and/or acquisition land.	Section 43(8) <i>Queensland Reconstruction Authority Act 2011</i>	
Power, as a decision-maker for a prescribed decision, to comply with a progression notice given by the authority.	Section 49 <i>Queensland Reconstruction Authority Act 2011</i>	
Power, as a decision-maker for a prescribed decision, to comply with a notice to decide given by the authority.	Section 50 <i>Queensland Reconstruction Authority Act 2011</i>	
Power, as a decision-maker for a prescribed decision, to give the authority all reasonable assistance or materials it requires.	Section 53(1) <i>Queensland Reconstruction Authority Act 2011</i>	
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) <i>Queensland Reconstruction Authority Act 2011</i>	
Power to give the authority a written recommendation to impose a condition for infrastructure.	Section 53(4) <i>Queensland Reconstruction Authority Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Queensland Reconstruction Authority Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Queensland Reconstruction Authority Act 2011</i>	
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) <i>Queensland Reconstruction Authority Act 2011</i>	
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 <i>Queensland Reconstruction Authority Act 2011</i>	
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) <i>Queensland Reconstruction Authority Act 2011</i>	
Power to request the Minister to direct the local government to take particular action about a local planning instrument.	Section 111(2) <i>Queensland Reconstruction Authority Act 2011</i>	
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) <i>Queensland Reconstruction Authority Act 2011</i>	
Power to comply with a direction of the Minister given under section 112.	Section 112 <i>Queensland Reconstruction Authority Act 2011</i>	

As at April 2021

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Rail Safety National Law (Queensland)

Document Reviewed:	24/02/2020
Reprint:	01/07/2020
Updated:	
New:	
Removed:	
Note:	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to comply with a notice issued by the Regulator pursuant to section 20(2).	Section 20(5) <i>Rail Safety National Law (Queensland)</i>	
Power, as a road manager, to enter an interface agreement.	Section 105(2)(a) <i>Rail Safety National Law (Queensland)</i>	
Power, as a road manager of a public road, to identify and assess, so far as is reasonably practicable, risks to safety from the existence or use of any rail or road crossing that is part of the road infrastructure because of the circumstances listed in subsection 107(2)(a)(i) and 107(2)(a)(ii).	Section 107(2)(a) <i>Rail Safety National Law (Queensland)</i>	
Power, as a road manager of a public road, to determine measures to manage, so far as is reasonably practicable, the risks identified pursuant to section 107(2)(a).	Section 107(2)(b) <i>Rail Safety National Law (Queensland)</i>	
Power, as a road manager of a public road, for the purposes of managing risks identified under section 107(2)(a), to seek to enter an interface agreement with the rail infrastructure manager of the rail infrastructure.	Section 107(2)(c) <i>Rail Safety National Law (Queensland)</i>	
Power, as a road manager of a private road given a written notice under section 108(1)(c)(i), to identify and assess, so far as is reasonably practicable, risks to safety from the existence or use of any rail or road crossing that is part of the road infrastructure of the road because of, or partly because of, railway operations.	Section 108(2)(a) <i>Rail Safety National Law (Queensland)</i>	
Power, as a road manager of a private road given a written notice under section 108(1)(c)(i), to determine measures to manage, so far as is reasonably practicable, risks identified pursuant to section 108(2)(a).	Section 108(2)(b) <i>Rail Safety National Law (Queensland)</i>	
Power, as a road manager of a private road given a written notice under section 108(1)(c)(i), to enter into an interface agreement with the rail infrastructure manager to manage risks identified pursuant to section 108(2)(a).	Section 108(2)(c) <i>Rail Safety National Law (Queensland)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Rail Safety National Law (Queensland)

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a road manager, to comply with a notice given by the Regulator under section 110(2) or a direction given under section 110(4).	Section 110(6) <i>Rail Safety National Law (Queensland)</i>	
Power, as a road manager, to maintain a register of interface agreements, and arrangements determined by the Regulator under section 110, in relation to roads for which it is the road manager.	Section 111(2) <i>Rail Safety National Law (Queensland)</i>	
Power to make available for inspection by a rail safety officer, or produce to the officer for inspection, particular documents.	Section 168A(4) <i>Rail Safety National Law (Queensland)</i>	
Power to comply with an improvement notice within the period specified in the notice.	Section 177 <i>Rail Safety National Law (Queensland)</i>	
Power to comply with a direction given under Part 4, Division 8 or a prohibition notice.	Section 181 <i>Rail Safety National Law (Queensland)</i>	
Power to notify the relevant rail infrastructure manager before carrying out any works near a railway that threaten, or are likely to threaten, the safety of the railway or the operational integrity of the railway.	Section 199(1) <i>Rail Safety National Law (Queensland)</i>	
Power to comply with a notice given by the Regulator under section 199(2).	Section 199(4) <i>Rail Safety National Law (Queensland)</i>	
Power to comply with a notice given by the Regulator under section 199(5).	Section 199(6) <i>Rail Safety National Law (Queensland)</i>	
Power, if an eligible person, to apply for a review of a reviewable decision.	Section 216 <i>Rail Safety National Law (Queensland)</i>	
Power, if an eligible person, to apply to the Court against: (a) a reviewable decision made by the Regulator; or (b) a decision made, or taken to have been made, by the Regulator under section 216 in respect of a reviewable decision.	Section 217 <i>Rail Safety National Law (Queensland)</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Services (Accreditation) Act 2002

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	01/09/2018
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Residential Services (Accreditation) Act 2002</i>	
Power, where a building complies with the prescribed building requirements, to issue a building compliance notice.	Section 29(3)(b) <i>Residential Services (Accreditation) Act 2002</i>	
Power to approve the form to be used for an application under section 29(1) <i>Residential Services (Accreditation) Act 2002</i> .	Section 29(2)(a) <i>Residential Services (Accreditation) Act 2002</i>	
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) <i>Residential Services (Accreditation) Act 2002</i>	
Power to issue a notice stating the extent to which the premises comply with the prescribed building requirements.	Section 189(3)(a) <i>Residential Services (Accreditation) Act 2002</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	01/09/2019
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Powers to give a prospective tenant for a residential tenancy the documents prepared for section 61 (the written residential tenancy agreement).	Section 58(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to prepare a residential tenancy agreement in the way required by section 61.	Section 61 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give to the tenant a residential tenancy agreement prepared for section 61 for signing.	Section 62(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply to a tribunal if the Council as lessor reasonably believes the tenant has contravened section 62(2).	Section 64(3) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to prepare a rooming accommodation agreement in the way required by section 77.	Section 77 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give the document prepared for section 77 to the resident for signing.	Section 78(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give and sign a receipt for payment of rent.	Section 88 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to make a written record of the payment of rent.	Section 88(5) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a receipt for the payment of rent.	Section 102 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to make a written record of the payment of rent paid.	Section 102(5) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to agree on the amount and time for the decrease of rent for matters including loss of amenity or service.	Section 106 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to agree to a reduction in rent because of the resident's absence.	Section 107 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the Residential Tenancies Authority for payment of a rental bond.	Section 125 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to make a dispute resolution request to the Residential Tenancies Authority about an application for payment of a rental bond.	Section 136 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to withdraw an application to the Residential Tenancies Authority for the payment of a rental bond.	Section 140 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to sign and give a receipt for a rental bond.	Section 145 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give written notice to the tenant to increase the rental bond if the rent payable under the agreement increases.	Section 154 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to a tribunal disputing the amount being treated as a rental bond.	Section 155(3) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to require a prospective tenant to pay a key deposit.	Section 156 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a receipt for a key deposit that was paid by a prospective tenant.	Section 157 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to refund a key deposit in full when the key is returned.	Section 158 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to require a prospective tenant to pay a holding deposit for a tenancy of premises.	Section 159 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a receipt for a holding deposit.	Section 160 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to agree a reduced rent amount attributable to a service or facility becoming unavailable for use by the tenant.	Section 168(3) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to ask the tenant the tenant's name or place of employment.	Section 205 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to ask the tenant in writing to state the tenant's new residential address.	Section 205(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to supply and maintain the locks and keys that are necessary to ensure the premises are reasonably secure.	Section 210 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to change a lock to the premises or to agree to the tenant changing a lock to the premises.	Section 211 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to agree to not being given a key for a lock to the premises changed by the tenant.	Section 211(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply to a tribunal about a lock or key for the premises.	Section 213(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a notice to relocate to another site in the moveable dwelling park to the tenant.	Section 223 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to make rules about the use, enjoyment, control and management of a moveable dwelling park owned by Council.	Section 228 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a notice proposing a change to a park rule to residents of the park.	Section 229 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to be Council's nominee on the park liaison committee.	Section 231(3)(b) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a non-resolution notice to each of the objectors objecting to a change of a park rule.	Section 231(6) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to agree in writing to the transfer or subletting of the tenant's interest under an agreement.	Section 237(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to require a tenant to pay a fee for the sale or attempted sale of a caravan on the premises.	Section 241(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to supply and maintain the locks that are necessary to ensure the resident's room is reasonably secure.	Section 250(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to agree to change or repair a lock at the request of a resident.	Section 251 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply to a tribunal for an order relating to a lock or key mentioned in section 250.	Section 252 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to enter a resident's room, for any reason, if the resident agrees.	Section 257(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to enter a resident's room without notice for one of the reasons set out in section 260.	Section 260 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to make house rules for rental purposes for any of the matters specified in section 268(1).	Section 268(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a written notice of proposed rule change for rental premises.	Section 270(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a written notice withdrawing the proposed rule change.	Section 271 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to a tribunal for an order declaring the proposed rule change to be reasonable.	Section 273(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a person a copy of the house rules for the premises.	Section 275 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to end a residential tenancy agreement by written agreement with the tenant.	Section 277(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a notice to leave the premises to the tenant.	Section 277(3) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a tenant a notice to remedy breach.	Section 280 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply to a tribunal for an interim order to restrain tenant from causing further damage or injury.	Section 300 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to remedy a lessor's breach following receipt of a notice to remedy breach from the tenant.	Section 303 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to withdraw a notice to leave for unremedied breach.	Section 333(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to agree to the tenant withdrawing a notice of intention to leave the premises.	Section 334(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply to the tribunal for a termination order without giving a notice to leave the premises to the tenant.	Section 335(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give an abandonment termination notice to the tenant terminating the agreement.	Section 355(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply to a tribunal for an order about the abandonment by the tenant of the premises.	Section 357(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply to a tribunal for an order for compensation following the giving of an abandonment termination notice.	Section 359 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to take all reasonable steps to mitigate loss or expense incurred because of the matters set out in section 362(1).	Section 362 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to sell tenant's goods left on premises or dispose of them in another way.	Sections 363(2) and 363(4) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to pay any balance from the sale of goods of a former tenant to the public trustee.	Sections 363(8) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give documents left on the premises in the ways prescribed under section 364.	Section 364 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to agree with a resident, by written agreement, to end a rooming accommodation agreement.	Section 366(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to end a rooming accommodation agreement by giving a notice under Part 2.	Section 366 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a resident notice requiring the resident to remedy a breach of a rooming accommodation agreement.	Section 368(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a resident a notice requiring the resident to leave the rental premises because of failure to remedy breach.	Section 369(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to withdraw a notice requiring the resident to leave the rental premises because of failure to remedy breach.	Section 369(5) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a written notice requiring the resident to leave the rental premises immediately because of a serious breach.	Section 370(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a resident a notice requiring the resident to leave the rental premises if premises destroyed etc.	Section 371 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give a notice terminating a periodic or fixed term agreement without ground.	Section 372 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply to a tribunal for a termination order for repeated breaches by resident.	Section 376(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply to a tribunal for an order terminating a fixed term agreement because of excessive hardship.	Section 377(1) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to remedy a provider's breach following receipt of a notice requiring remedy of breach from the resident.	Section 378 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make reasonable efforts to contact a former resident about property left at the rental premises.	Section 392(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to deal with a personal document or money in the ways stated in the section.	Section 392 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to apply the proceeds from the sale of property under section 393 in the ways stated in the section.	Sections 393(7) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation Act 2008

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give an applicant a written notice.	Section 458A(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give an applicant a written notice.	Section 458B(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to list personal information about a person in a tenancy database after complying with the requirements of section 459(2).	Section 459 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give the other person a copy of the personal information and consider any submissions made by the other person.	Section 459(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power, in the circumstances listed in subsection (1), to give a database operator written notice.	Section 459A(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to keep a copy of a written notice given under this section.	Section 459A(4) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
Power to give a copy of a person's personal information listed about the person.	Section 459C(2) <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Residential Tenancies and Rooming Accommodation Act 2008**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	
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 <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020

Please note this Regulation expires on 30 April 2021

Please note this Regulation expires on 30 April 2021

Document Reviewed:	24/02/2020		
Reprint:	04/12/2020		
Updated:			
New:	92(3)		
Removed:	11(2), 11(5), 12(2), 12(3), 13(1), 35, 36, 39, 49(5), 50(2), 50(3), 51(1), 73(1)		
Note:	New Reprint. Changes		
DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT	
Power, as a lessor, in the circumstances set out in subsection 11(1), to give a tenant a show cause notice for the unpaid rent.	Section 11(2) <i>Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response Regulation 2020)</i>		
Power, as a lessor, in the circumstances set out in subsection 11(5), to request that the tenant enter into a tenancy variation agreement with the lessor.	Section 11(5) <i>Residential and Rooming Accommodation (COVID-19 Emergency Response Regulation 2020)</i>		
Power, as a lessor, in the circumstances set out in subsection 12(1), to make a dispute resolution request in relation to a tenancy dispute related to the unpaid rent.	Section 12(2) <i>Residential and Rooming Accommodation (COVID-19 Emergency Response Regulation 2020)</i>		
Power, as a lessor, in the circumstances set out in subsection 12(1), to apply to the tribunal for an order about the unpaid rent.	Section 12(3) <i>Residential and Rooming Accommodation (COVID-19 Emergency Response Regulation 2020)</i>		
Power, as a lessor, to enter into a tenancy variation agreement with the tenant	Section 13(1) <i>Residential and Rooming Accommodation (COVID-19 Emergency Response Regulation 2020)</i>		

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020

Power, as a lessor, to inform the tenant of each of the matters set out in subsection 23(2).	Section 23(2) <i>Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i>	
Power, as a lessor, to give each remaining cotenant a written notice containing those matters identified in subsection 25(3).	Section 25(3) <i>Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i>	
Power, as a lessor, in the circumstances set out in subsection 30(1), to apply to the tribunal for an order setting aside the notice because it does not comply with section 22.	Section 30(2) <i>Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i>	
<del>Power, as a lessor, in the circumstances set out in subsection 39(1), to apply to a tribunal for a termination order</del>	<del>Section 39 Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</del>	
Power, as a provider, in the circumstances set out in subsection 49(1), to give a resident a show cause notice for the unpaid rent.	Section 49(2) <i>Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i>	
<del>Power, as a provider, in the circumstances set out in subsection 49(5), to request that the resident enter into a residency variation agreement with the provider.</del>	<del>Section 49(5) <i>Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i></del>	
<del>Power, as a provider, in the circumstances set out in subsection 50(1), to make a dispute resolution request in</del>	<del>Section 50(2) <i>Residential Tenancies and Rooming</i></del>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020

relation to a rooming accommodation dispute related to the unpaid rent.	Accommodation (COVID-19 Emergency Response) Regulation 2020	
Power, as a provider, in the circumstances set out in subsection 50(1), to apply to the tribunal for an order about the unpaid rent.	Section 50(3) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020	
Power, as a provider, to enter a residency variation agreement with the resident.	Section 51(1) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020	
Power, as a provider, to inform the resident of each of the matters set out in subsection 61(2).	Section 61(2) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020	
Power, as a provider, to give each remaining coresident a written notice containing those matters identified in subsection 63(3).	Section 63(3) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020	
Power, as a provider, in the circumstances set out in section 60, to apply to the tribunal for an order setting aside the notice because it does not comply with section 22.	Section 68(2) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020	
Power, as a provider, to change or repair the lock to a resident's room if the resident believes it is necessary to protect the resident from domestic violence.	Section 71(1) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020

	<i>Response) Regulation 2020</i>	
Power, as a provider, to give a resident a notice requiring the resident to leave the rental premises if: (a) the provider is preparing to sell the premises and the preparation requires the rental premises to be vacant. (b) The provider has entered into a contract to sell the rental premises with vacant possession.	<i>Section 73(1) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i>	
Power, in the circumstances prescribed by subsection 83(1), to apply to the authority for an extension of time to make the application or respond to the action.	<i>Section 83(2) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i>	
Power, in the circumstances prescribed by subsection 85(1), to require evidence from the tenant or resident to support the claim if the evidence is similar in nature to the information the lessor or provider required from the tenant or resident to enter into the agreement.	<i>Section 85(2) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i>	
Power, in the circumstances prescribed by subsection 92(3), to:- (a) make a dispute resolution request under repealed section 12(2); and (b) make an application to the tribunal under repealed section 12(3).	<i>Section 92(3) Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Right to Information Act 2009

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	30/09/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to disclose information under a publication scheme, without limiting another way Council may disclose information.	Section 22 <i>Right to Information Act 2009</i>	
Power to give access to a document created after the application is received but before notice is given under section 54.	Section 27(2) <i>Right to Information Act 2009</i>	
Power to search for a document from a backup system if Council considers the search appropriate.	Section 29(2) <i>Right to Information Act 2009</i>	
Power to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access application.	Section 30(5)(b) <i>Right to Information Act 2009</i>	
Power, as an agency, to participate in an external review.	Section 89(1) <i>Right to Information Act 2009</i>	
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) <i>Right to Information Act 2009</i>	
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) <i>Right to Information Act 2009</i>	
Power to comply with a reasonable request from the Commissioner for further assistance with an external review.	Section 96(1) <i>Right to Information Act 2009</i>	
Power to make oral or written submissions to the Commissioner in an external review.	Section 97(2)(b) <i>Right to Information Act 2009</i>	
Power to seek the approval of the Commissioner for Council to be represented by another person in an external review and to appoint the representative.	Section 97(3) <i>Right to Information Act 2009</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Right to Information Act 2009

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to respond to a preliminary inquiry from the Commissioner.	Section 98 <i>Right to Information Act 2009</i>	
Power to give the applicant for external review and the commissioner an additional statement containing further and better particulars of the reasons for the decision.	Section 99(1) <i>Right to Information Act 2009</i>	
Power to give the commissioner full and free access at all reasonable times to the documents of the agency or Minister concerned, including documents protected by legal professional privilege.	Section 100 <i>Right to Information Act 2009</i>	
Power to give the commissioner a written transcript of the words recorded or contained in a document and a written document created using equipment that is usually available to Council for retrieving or collating stored information.	Sections 101(2) and (3) <i>Right to Information Act 2009</i>	
Power to conduct a particular further search, or further searches, for a document when required to by the commissioner.	Section 102 <i>Right to Information Act 2009</i>	
Power to comply with a notice issued by the commissioner pursuant to this section.	Section 103 <i>Right to Information Act 2009</i>	
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) <i>Right to Information Act 2009</i>	
Power, as an agency, to apply to the information commissioner for the declaration of an applicant as a vexatious applicant.	Section 114(1) <i>Right to Information Act 2009</i>	
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) <i>Right to Information Act 2009</i>	
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 <i>Right to Information Act 2009</i>	
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, section 1(3) <i>Right to Information Act 2009</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### River Improvement Trust Act 1940

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	22/11/2016
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>River Improvement Trust Act 1940</i>	
Power to appoint a councillor to a river improvement trust.	Sections 5(1)(a), 5(1A)(a) and 5(2) <i>River Improvement Trust Act 1940</i>	
Power to decide the term of appointment for a councillor appointed pursuant to subsection (1)(a) or (2).	Section 5(3) <i>River Improvement Trust Act 1940</i>	
Power to appoint a councillor to a river improvement trust where the office becomes vacant.	Section 5A(1) <i>River Improvement Trust Act 1940</i>	
Power to comply with a notice from the Minister requiring Council to appoint a councillor to a vacant office.	Section 5A(2) <i>River Improvement Trust Act 1940</i>	
Power to give the Minister the local government's views on the recommendation of an appointment to the Governor in Council.	Section 5A(5B) <i>River Improvement Trust Act 1940</i>	
Power to remove a person from office as a member of a trust.	Section 5K <i>River Improvement Trust Act 1940</i>	
Power to consent for the trust to appoint the chief executive officer to be its secretary.	Section 6(1A) <i>River Improvement Trust Act 1940</i>	
Power to enter into a written arrangement with a trust to use the accounts and the accounting systems of Council.	Section 12A <i>River Improvement Trust Act 1940</i>	
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) <i>River Improvement Trust Act 1940</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****River Improvement Trust Act 1940**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>River Improvement Trust Act 1940</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Safety in Recreational Water Activities Act 2011

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	23/10/2017
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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. <i>Safety in Recreational Water Activities Act 2011</i>	
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) <i>Safety in Recreational Water Activities Act 2011</i>	
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 <i>Safety in Recreational Water Activities Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### State Penalties Enforcement Act 1999

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	29/01/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as administering authority, to approve a form for an infringement notice.	Section 15(1) <i>State Penalties Enforcement Act 1999</i>	
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 <i>State Penalties Enforcement Act 1999</i>	
Power, as administering authority, to submit particulars required for registration of approval of instalment payments with the State Penalties Enforcement Registry.	Section 24(1) <i>State Penalties Enforcement Act 1999</i>	
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).	Sections 28(1) and (2) <i>State Penalties Enforcement Act 1999</i>	
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(1) <i>State Penalties Enforcement Act 1999</i>	
Power, as an approved sponsor, to undertake an eligibility assessment.	Section 32K(1) <i>State Penalties Enforcement Act 1999</i>	
Power, as an approved sponsor, to give the registrar evidence to support the eligibility assessment.	Section 32K(2) <i>State Penalties Enforcement Act 1999</i>	
Power, as an approved sponsor, to apply to SPER on behalf of the individual for an increase in the order amount.	Section 32O(1) <i>State Penalties Enforcement Act 1999</i>	
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(1) <i>State Penalties Enforcement Act 1999</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### State Penalties Enforcement Act 1999

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>State Penalties Enforcement Act 1999</i>	
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) <i>State Penalties Enforcement Act 1999</i>	
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) <i>State Penalties Enforcement Act 1999</i>	
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) <i>State Penalties Enforcement Act 1999</i>	
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 <i>State Penalties Enforcement Act 1999</i>	
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) <i>State Penalties Enforcement Act 1999</i>	
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) <i>State Penalties Enforcement Act 1999</i>	
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) <i>State Penalties Enforcement Act 1999</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### State Penalties Enforcement Act 1999

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>State Penalties Enforcement Act 1999</i>	
Power, as an employer, to keep the records required to be kept by this section.	Section 94 <i>State Penalties Enforcement Act 1999</i>	
Power, as an administering authority, to state any matter in subsection (2) is evidence of the matter.	Section 157(2) <i>State Penalties Enforcement Act 1999</i>	
Power, as an administering authority, to request the Registrar to give a certificate under subsection (3).	Section 157(4) <i>State Penalties Enforcement Act 1999</i>	
Power to approve forms for use as infringement notices.	Section 162 <i>State Penalties Enforcement Act 1999</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### State Penalties and Enforcement Regulation 2014

<b>Document Reviewed:</b>	24/06/2020
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<b>Removed:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the registrar for the approval of Council as an approved sponsor.	Section 19AG <i>State Penalties and Enforcement Regulation 2014</i>	
Power to comply with a request of the registrar for additional information.	Section 19AH(1) <i>State Penalties and Enforcement Regulation 2014</i>	
Power, as an approved sponsor, to agree with the registrar to an amendment of the approval.	Section 19AM(1) <i>State Penalties and Enforcement Regulation 2014</i>	
Power, as an approved sponsor, to keep the records listed in subsection 19AN(1).	Section 19AN(1) <i>State Penalties and Enforcement Regulation 2014</i>	
Power, as an approved sponsor, to comply with a request of the registrar to give copies of all documents relevant to the work and development orders for which Council is an approved sponsor.	Section 19AO(2) <i>State Penalties and Enforcement Regulation 2014</i>	
Power, as an approved sponsor, to surrender the approval as an approved sponsor.	Section 19AQ(1) <i>State Penalties and Enforcement Regulation 2014</i>	
Power, as an approved sponsor, to make written representations to the registrar in response to a show cause notice.	Section 19AU(2)(d) <i>State Penalties and Enforcement Regulation 2014</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****State Penalties and Enforcement Regulation 2014**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an approved sponsor, to take the remedial action, to the satisfaction of the registrar.	Section 19AX(1)(a) <i>State Penalties and Enforcement Regulation 2014</i>	
Power, in the circumstances specified in subsection 19AZ(1), to apply to QCAT for a review of the decision.	Section 19AZ(2) <i>State Penalties and Enforcement Regulation 2014</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Statutory Bodies Financial Arrangements Act 1982

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	23/09/2013
<b>Amended:</b>	
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<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a statutory body, to operate a deposit and withdrawal account with a financial institution.	Section 31(1) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
Power, as a statutory body, to borrow money and to seek the treasurer's approval for the borrowing.	Section 34(1) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
Power, as a statutory body, to exercise category 1 investment powers.	Sections 42 and 44 <i>Statutory Bodies Financial Arrangements Act 1982</i>	
Power, as a statutory body, to exercise category 2 investment powers.	Sections 42 and 45 <i>Statutory Bodies Financial Arrangements Act 1982</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Statutory Bodies Financial Arrangements Act 1982

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a statutory body, to exercise category 3 investment powers.	Section 46 <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
Power, as a statutory body, to enter a derivative transaction.	Section 53(1) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
Power, as a statutory body, to obtain the treasurer's approval for the entering of a derivative transaction.	Section 53(2) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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 <i>Statutory Bodies Financial Arrangements Act 1982</i>	
Power, as a statutory body, to appoint a person as a funds manager and obtain the treasurer's approval for the appointment.	Section 59 <i>Statutory Bodies Financial Arrangements Act 1982</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Statutory Bodies Financial Arrangements Act 1982

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a statutory body, to enter a type 1 financial arrangement and obtain the treasurer's approval for the arrangement.	Section 60A <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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 <i>Statutory Bodies Financial Arrangements Act 1982</i>	
Power, as a statutory body, to sign documents for a financial arrangement under the Act.	Section 62(1) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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) <i>Statutory Bodies Financial Arrangements Act 1982</i>	
Power, as a statutory body, to apply to the treasurer for approval of the exercise of a power under the Act.	Section 71 <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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 <i>Statutory Bodies Financial Arrangements Act 1982</i>	
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 <i>Statutory Bodies Financial Arrangements Act 1982</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS

## COUNCIL TO CEO

### Stock Route Management Act 2002

Document Reviewed:	17/09/2019
Reprint:	01/07/2016
Amended:	
Inserted:	
Omitted:	
Note:	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to prepare a stock route network management plan.	Sections 105 to 109 inclusive <i>Stock Route Management Act 2002</i>	
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 <i>Stock Route Management Act 2002</i>	
Power, as an issuing entity, to give notice that a person may apply for a permit for the land.	Section 116(2)(c)(ii) <i>Stock Route Management Act 2002</i>	
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 <i>Stock Route Management Act 2002</i>	
Power to grant or refuse an application for a stock route agistment permit.	Section 118 <i>Stock Route Management Act 2002</i>	
Power to grant or refuse an application to renew a stock route agistment permit.	Section 123 <i>Stock Route Management Act 2002</i>	
Power to impose on a stock route agistment permit the reasonable conditions it decides.	Section 126 <i>Stock Route Management Act 2002</i>	
Power to amend the conditions of a stock route agistment permit.	Section 127 <i>Stock Route Management Act 2002</i>	
Power to cancel a stock route agistment permit.	Section 128 <i>Stock Route Management Act 2002</i>	
Power to require the holder of a stock route agistment permit to return the permit.	Section 130 <i>Stock Route Management Act 2002</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Stock Route Management Act 2002

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Stock Route Management Act 2002</i>	
Power to grant or refuse an application for for a stock route travel permit.	Section 136 <i>Stock Route Management Act 2002</i>	
Power to require a stock route travel permit holder who gives a notice of the correct particular to return the permit.	Section 141 <i>Stock Route Management Act 2002</i>	
Power to impose on a stock route travel permit the reasonable conditions it decides.	Section 142 <i>Stock Route Management Act 2002</i>	
Power to amend a stock route travel permit.	Section 143 <i>Stock Route Management Act 2002</i>	
Power to cancel a stock route travel permit.	Section 144 <i>Stock Route Management Act 2002</i>	
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 <i>Stock Route Management Act 2002</i>	
Power to consider it necessary to build a stock-proof fence on the boundary of land adjoining a stock route network.	Section 148 <i>Stock Route Management Act 2002</i>	
Power to issue a fencing notice.	Section 149 <i>Stock Route Management Act 2002</i>	
Power to give a mustering notice.	Section 156 <i>Stock Route Management Act 2002</i>	
Power to manager and conserve pasture on its stock route network.	Section 160 <i>Stock Route Management Act 2002</i>	
Power to require an owner to reduce the number of stock on the land.	Section 161(2) <i>Stock Route Management Act 2002</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

**Stock Route Management Act 2002**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to consent to the burning or removal of pasture.	Section 180 <i>Stock Route Management Act 2002</i>	
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) <i>Stock Route Management Act 2002</i>	
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) <i>Stock Route Management Act 2002</i>	
Power to pay the amount to the chief executive in the stated period.	Section 187(5) <i>Stock Route Management Act 2002</i>	
Power to pay half of the amounts referred to in subsection (1) to the department.	Section 187A <i>Stock Route Management Act 2002</i>	
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 <i>Stock Route Management Act 2002</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Strong and Sustainable Resource Communities Act 2017

Document Reviewed:	17/09/2019
Reprint:	30/03/2018
Amended:	
Inserted:	
Omitted:	
Note:	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to consult with the owner of a large resource project preparing an operational workforce management plan	Section 7(3) <i>Strong and Sustainable Resource Communities Act 2017</i>	
Power to consult with the owner of, or proponent for, a large resource project described in section 9(1) about the social impact assessment prepared under section 9(2)	Section 9(5) <i>Strong and Sustainable Resource Communities Act 2017</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Summary Offences Act 2005

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	21/07/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to authorise a person to busk in a public place.	Section 8(2)(b) <i>Summary Offences Act 2005</i>	
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) <i>Summary Offences Act 2005</i>	
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) <i>Summary Offences Act 2005</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Summary Offences Regulation 2006

Document Reviewed:	17/09/2019
Reprint:	01/09/2016
Amended:	
Inserted:	
Omitted:	
Note:	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Summary Offences Regulation 2006</i>	
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) <i>Summary Offences Regulation 2006</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Survey and Mapping Infrastructure Act 2003

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	06/12/2016
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an owner or occupier of land, to consent to a surveyor placing a permanent survey mark on the land.	Section 21(2) <i>Survey and Mapping Infrastructure Act 2003</i>	
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 <i>Survey and Mapping Infrastructure Act 2003</i>	
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 <i>Survey and Mapping Infrastructure Act 2003</i>	
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 <i>Survey and Mapping Infrastructure Act 2003</i>	
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 <i>Survey and Mapping Infrastructure Act 2003</i>	
Power, as a public authority, to provide the chief executive with information about the boundaries of an administrative area.	Section 49 <i>Survey and Mapping Infrastructure Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Tobacco and Other Smoking Products Act 1998

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	21/07/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an occupier of an enclosed space, to give directions to stop persons from smoking in the enclosed space.	Section 26U(1) <i>Tobacco and Other Smoking Products Act 1998</i>	
Power to consult with the Department about a proposed local law under section 26ZPA.	Section 26ZPB <i>Tobacco and Other Smoking Products Act 1998</i>	
Power to respond to a request for information from the chief executive about a local law made under section 26ZPA.	Section 26ZPC <i>Tobacco and Other Smoking Products Act 1998</i>	
Power to administer and enforce Part 2BB, divisions 4 to 8 and Part 2C, division 3 of the Act.	Sections 26ZU and 26ZV <i>Tobacco and Other Smoking Products Act 1998</i>	
Power to respond to a request for information from the chief executive about the local government's administration and enforcement.	Section 26ZW <i>Tobacco and Other Smoking Products Act 1998</i>	
Power, as an occupier of a place, to give consent to an authorised person to enter the place.	Section 33(1)(a) <i>Tobacco and Other Smoking Products Act 1998</i>	
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) <i>Tobacco and other Smoking Products Act 1998</i>	
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) <i>Tobacco and Other Smoking Products Act 1998</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Torres Strait Islander Cultural Heritage Act 2003

<b>Document Reviewed:</b>	08/10/2019
<b>Reprint:</b>	09/11/2018
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	New register.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
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(2) <i>Torres Strait Islander Cultural Heritage Act 2003</i>
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(2) <i>Torres Strait Islander Cultural Heritage Act 2003</i>
Power, as a person who carries out an activity, to take all reasonable and practicable measures to ensure the activity does not harm Torres Strait Islander cultural heritage.	Section 23(1) <i>Torres Strait Islander Cultural Heritage Act 2003</i>
Power to consult with the Minister about cultural heritage duty of care guidelines.	Section 28(2) <i>Torres Strait Islander Cultural Heritage Act 2003</i>
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 Torres Strait Islander cultural heritage revealed to exist because of any activity carried out under the plan.	Section 30(1) <i>Torres Strait Islander Cultural Heritage Act 2003</i>
Power, as a person who carries out an activity, to advise the chief executive of Torres Strait Islander cultural heritage revealed to exist because of the activity.	Section 31(1) <i>Torres Strait Islander Cultural Heritage Act 2003</i>
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(2), 64(2), 65(2), 67, 68, 69(2), 70, 71, 76, 77(2) and 153 <i>Torres Strait Islander Cultural Heritage Act 2003</i>
Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for carrying out cultural heritage studies.	Section 54(3) <i>Torres Strait Islander Cultural Heritage Act 2003</i>

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Torres Strait Islander Cultural Heritage Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION
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) <i>Torres Strait Islander Cultural Heritage Act 2003</i>
Power to consult with the chief executive about a cultural heritage study.	Section 72(1)(c) <i>Torres Strait Islander Cultural Heritage Act 2003</i>
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 <i>Torres Strait Islander Cultural Heritage Act 2003</i>
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 <i>Torres Strait Islander Cultural Heritage Act 2003</i>
Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for developing cultural heritage management plans.	Section 85(3) <i>Torres Strait Islander Cultural Heritage Act 2003</i>
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 <i>Torres Strait Islander Cultural Heritage Act 2003</i>

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure (Public Marine Facilities) Regulation 2011

<b>Document Reviewed:</b>	24/06/2020
<b>Reprint:</b>	19/06/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to manage the public marine facilities listed in schedule 1.	Section 5, 7, and Schedule 1 <i>Transport Infrastructure (Public Marine Facilities) Regulation 2011</i>	
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) <i>Transport Infrastructure (Public Marine Facilities) Regulation 2011</i>	
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 <i>Transport Infrastructure (Public Marine Facilities) Regulation 2011</i>	
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) <i>Transport Infrastructure (Public Marine Facilities) Regulation 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

Document Reviewed:	24/02/2020
Reprint:	21/07/2020
Updated:	36(1), 105J(9), 105J(10)
New:	36(4), 303AAA
Removed:	
Note:	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to make a sharing arrangement with the chief executive for the costs of:- <ul style="list-style-type: none"> <li>(a) acquisition of land for transport infrastructure;</li> <li>(b) road works on a State-controlled road;</li> <li>(c) other works that contribute to the effectiveness and efficiency of the road network; or</li> <li>(d) the operation of a State-controlled road;</li> </ul> including all necessary preliminary costs associated with acquisition, works, or operation.	Section 32 <i>Transport Infrastructure Act 1994</i>	
Power to apply for an approval to carry out road works on a State-controlled road or interfere with a State-controlled road or its operation.	Section 33(2) <i>Transport Infrastructure Act 1994</i>	
Power, as an owner or occupier of land, to provide written approval agreeing to the proposed temporary occupier occupying or using the land under section 35.	Section 36(1) <i>Transport Infrastructure Act 1994</i>	
Power, as an owner or occupier of land, to make submissions to the proposed temporary occupier about the accommodation works or land management activities proposed to be carried out on the land.	Section 36(4) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to enter into agreements with the chief executive in relation to funding for road works on Council's roads.	Section 40 <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to apply and enforce conditions to proposed road works or changes to the management of a Council road.	Section 42(5) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to apply conditions to the erection, alteration or operation of an advertising sign or device.	Section 43(4) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to apply for an approval to construct, maintain, operate or conduct ancillary works and encroachments on a State-controlled road.	Section 50(3) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Infrastructure Act 1994</i>	
Power, as a railway manager, to consult with, and make submissions to, the Minister about an intended declaration under section 84A.	Section 84B(2) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power, as a toll road operator, to give a single notice to a registered operator for notices under section 99 and 105ZH.	Section 99AA <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give a statutory declaration complying with subsection (3).	Sections 100(2) and 105ZJ(2) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power, as a toll road operator, to give a single notice to a person for notices under section 101 and 105ZK.	Section 101A <i>Transport Infrastructure Act 1994</i>	
Power to disclose, allow access to, record or use personal information under certain circumstances.	Sections 104(2) and 105ZN(2) <i>Transport Infrastructure Act 1994</i>	
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). <sup>2</sup>	Chapter 6, Part 8 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to enter into a lease or sublease of local government tollway corridor land to another person, for use as a tollway.	Section 105J(9) and (10) <i>Transport Infrastructure Act 1994</i>	

<sup>2</sup> Specific powers under this Part will need to be specified in the register if the powers are sub-delegated to a Council officer.  
As at April 2021

## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power to enter into a local government tollway franchise agreement with another local government.	Section 105Y <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the chief executive for a rail feasibility investigator's authority for an area of land.	Section 110 <i>Transport Infrastructure Act 1994</i>	
Power:- <ul style="list-style-type: none"> <li>(a) as an owner or occupier of land, to consent to an investigator or an associated person to enter onto land; or</li> <li>(b) as an authorised investigator, to enter land, with the owner's or occupier's consent;</li> </ul> for the purpose of investigating the land's potential and suitability as a rail corridor.	Section 114(3)(a) <i>Transport Infrastructure Act 1994</i>	
Power, as an authorised investigator, to allow an associated person to act under the investigator's authority.	Section 115(1) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power, as an owner or occupier of land, to:- <ul style="list-style-type: none"> <li>(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;</li> <li>(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</li> <li>(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.</li> </ul>	Section 118 (1) <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power:-</p> <p>(a) as an owner or occupier of land, to make an agreement with the relevant person with regards to the amount of compensation; or</p> <p>(b) as an authorised investigator, to make an agreement with owner or occupier of the land with regards to the amount of compensation.</p>	<p>Section 118(4)(a) <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 126(2)(d)(i) <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 165(c) <i>Transport Infrastructure Act 1994</i></p>	
<p>Power, as an owner or occupier of land, to give written notice to the chief executive or an accredited person regarding:-</p> <p>(a) a claim for compensation for the loss or damage caused by the entry or railway works carried out on Council's land;</p> <p>(b) a claim for compensation for the taking or use of materials;</p> <p>(c) a requirement that the accredited person carry out works in restitution for the damage; or</p> <p>(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.</p>	<p>Section 166(1) <i>Transport Infrastructure Act 1994</i></p>	
<p>Power to seek the chief executive's written approval to carry out works near a railway.</p>	<p>Section 168 <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 168(7)(b) <i>Transport Infrastructure Act 1994</i></p>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Infrastructure Act 1994</i>	
Power, as an occupier of a place, to consent to the entry of a rail safety officer into the place.	Section 178(1)(a) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power to enter into a sublease with the chief executive for a section of non-rail corridor land.	Section 240D <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power, as an owner of land, to commence proceedings in the Land Court for compensation.	Section 240F(6) <i>Transport Infrastructure Act 1994</i>	
Power, as a railway manager, to grant a sublicence in relation to an easement described in schedule 4 to a railway operator.	Section 241(3) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power:-</p> <p>(a) to make an agreement with the railway manager for a railway within a common area; or</p> <p>(b) as a railway manager, to make an agreement with a relevant person for a relevant road within a common area;</p> <p>regarding the costs of removing rail transport infrastructure from the common area and restoring the relevant road.</p>	<p>Section 249(5)</p> <p><i>Transport Infrastructure Act 1994</i></p>	
<p>Power:-</p> <p>(a) as a railway manager, to:-</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(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</p> <p>(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</p> <p>(c) as an occupier or owner of land that has been directly affected by the road alteration, to:-</p> <p>(i) make an agreement with the railway manager regarding the amount of compensation payable to Council;</p>	<p>Section 250</p> <p><i>Transport Infrastructure Act 1994</i></p>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
(ii) make an application to a court with jurisdiction to make a decision on the amount of compensation.		
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power:- (a) as a railway manager, to give written approval to a person seeking to interfere with the railway; or (b) to seek written approval from a railway's manager to interfere with the railway; and (c) to interfere with a railway provided that the interference is:- (i) with the railway manager's written approval; (ii) permitted or authorised under a right of access under sections 240E or 253, or under the <i>Transport (Rail Safety) Act 2010</i> ; or (iii) otherwise approved, authorised or permitted under this Act or another Act.	Section 255(1) <i>Transport Infrastructure Act 1994</i>	

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### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to—</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) recover a charge, or part of a charge, and any interest payable in relation to the charge, as a debt payable to Council.</li> </ul>	<p>Section 281C <i>Transport Infrastructure Act 1994</i></p>	
<p>Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> <li>(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</li> <li>(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.</li> </ul>	<p>Section 281F <i>Transport Infrastructure Act 1994</i></p>	
<p>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—</p> <ul style="list-style-type: none"> <li>(a) affect the port's operation; or</li> <li>(b) cause damage to the port authority's strategic port land or Brisbane core port land; or</li> <li>(c) cause damage to the environment.</li> </ul>	<p>Section 282 <i>Transport Infrastructure Act 1994</i></p>	

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### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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-sections (a)-(e).	Section 282AA <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power, as a port lessor of the Port of Brisbane, to appoint a person as an authorised officer for Council.	Section 282K <i>Transport Infrastructure Act 1994</i>	

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### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a port operator, to consult with the Minister before the Minister gives a direction under subsection (2).	Section 283ZJ <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to apply to the planning chief executive for a planning and development certificate for premises on Brisbane core port land.	Section 283ZZB <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to apply to a port authority for approval to perform a controlled activity in a port authority's port area.	Section 289C <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Infrastructure Act 1994</i>	
Power, as a port operator, to have abandoned property found at the port facility moved to a place Council considers appropriate.	Section 289I(2)(b) <i>Transport Infrastructure Act 1994</i>	
Power to seek the return of abandoned property from a port authority or port operator.	Section 289J <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power, as a port operator, to dispose of abandoned property that is insufficient value property in the way Council considers appropriate.	Section 289N <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power:-</p> <p>(a) as a port lessor of the Port of Brisbane, to appoint an entity as a port manager for the Port of Brisbane; or</p> <p>(b) as a port lessee—</p> <p>(i) to seek written approval from the port lessor to appoint an entity as a port manager for the Port of Brisbane; and</p> <p>(ii) with the written approval of the port lessor, appoint an entity as a port manager for the Port of Brisbane.</p>	<p>Section 289ZA <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 299(4)(a) <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 300(2) <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 300(4) <i>Transport Infrastructure Act 1994</i></p>	
<p>Power, as a person given a written notice under section 303(2D), to claim compensation under the <i>Acquisition of Land Act 1967</i>, section 12(5A) and (5B) and part 4.</p>	<p>Section 303AAA <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 303AA <i>Transport Infrastructure Act 1994</i></p>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power to construct, maintain and operate a non-State controlled road on a busway common area.	Section 303B(d) <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power to:-</p> <p>(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</p> <p>(b) make an agreement regarding the amount payable to Council for costs incurred by Council in altering the road level.</p>	<p>Section 305(2) <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 307(1) <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 307(5) <i>Transport Infrastructure Act 1994</i></p>	
<p>Power to enter into a contract with the chief executive for the following:-</p> <p>(a) carrying out busway transport infrastructure works on a busway or on land that is intended to become a busway; or</p> <p>(b) carrying out other works that contribute to the effectiveness and efficiency of the busway network; or</p> <p>(c) carrying out the operation of a busway; or</p> <p>(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 –</p> <p>even though the contracted works or operations, as stated in (a), (b) or (c), relate to areas outside Council's area.</p>	<p>Section 308 <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 308(5) <i>Transport Infrastructure Act 1994</i></p>	

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### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power to enter into an arrangement with the chief executive for the sharing of costs, including preliminary costs, of—</p> <ul style="list-style-type: none"> <li>(a) acquiring land for busway transport infrastructure; or</li> <li>(b) busway transport infrastructure works on a busway; or</li> <li>(c) other works that contribute to the effectiveness and efficiency of the busway network; or</li> <li>(d) the operation of a busway.</li> </ul>	<p>Section 308(10) <i>Transport Infrastructure Act 1994</i></p>	
<p>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.</p>	<p>Section 309 <i>Transport Infrastructure Act 1994</i></p>	
<p>Power, as a public utility provider, to do the following things on busway land:-</p> <ul style="list-style-type: none"> <li>(a) build, replace or take away, or alter, other than for maintenance or repair, its public utility plant;</li> <li>(b) maintain or repair, or alter, for maintenance or repair, its public utility plant;</li> <li>(c) take reasonable steps to stop obstruction or potential obstruction to, or interference or potential interference with, its public utility plant.</li> </ul>	<p>Section 318(1) <i>Transport Infrastructure Act 1994</i></p>	
<p>Power, as a public utility provider, to seek written agreement from the chief executive for Council to do the things mentioned in subsection (1).</p>	<p>Section 318(2) <i>Transport Infrastructure Act 1994</i></p>	
<p>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:-</p> <ul style="list-style-type: none"> <li>(a) makes all reasonable attempts to obtain the chief executive's oral agreement to the carrying out of the maintenance; and</li> <li>(b) whether or not the chief executive's oral agreement is obtained, acts as quickly as possible</li> </ul>	<p>Section 318(4) <i>Transport Infrastructure Act 1994</i></p>	

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### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
to advise the chief executive of the details of the maintenance being carried out.		
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 effects of the establishment of the infrastructure on Council's works.	Section 319 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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:- <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>	Section 334(1) <i>Transport Infrastructure Act 1994</i>	
Power to:- <ul style="list-style-type: none"> <li>(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;</li> <li>(b) enter into an agreement with the chief executive for compensation within 60 days of the compensation application or within an agreed period; and</li> <li>(c) make an application to the Land Court for compensation.</li> </ul>	Section 335(3) <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the chief executive for accreditation as the busway manager for a busway.	Section 335AC <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power, as a busway manager, to surrender Council's accreditation by written notice given to the chief executive.	Section 335AO <i>Transport Infrastructure Act 1994</i>	
Power to apply to the chief executive for authorisation as an authorised busway user for a busway.	Section 337 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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	Section 351(2) <i>Transport</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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.	<i>Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 anything 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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>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:-</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) enter into an agreement with the chief executive about the payment of compensation; or</li> <li>(c) in the absence of an agreement about the payment of compensation, commence proceedings in the Land Court for payment of compensation.</li> </ul>	Section 355B(2) and (4) <i>Transport Infrastructure Act 1994</i>	
<p>Power to:-</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) make an agreement regarding the amount payable to Council for costs incurred by Council in altering the road level.</li> </ul>	Section 357(2) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
<p>Power to make an agreement with the chief executive in relation to the following:-</p> <ul style="list-style-type: none"> <li>(a) maintenance of a road and a bridge or other structure located on light rail land;</li> <li>(b) the costs of removing the bridge, or other structure, once it is no longer in use; and</li> <li>(c) restoring the light rail land following the removal of the bridge or other structure.</li> </ul>	Section 358(6) <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a light rail manager, to consult with the chief executive before a designation under subsection (1) is made.	Section 359(3) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power, as a light rail manager, to consult with the chief executive before a designation under subsection (1) is made.	Section 360(3) <i>Transport Infrastructure Act 1994</i>	
<p>Power to enter into a contract with the chief executive for the following:–</p> <ul style="list-style-type: none"> <li>(a) carrying out light rail transport infrastructure works on a light rail or on land that is intended to become a light rail; or</li> <li>(b) carrying out works on land affected by a light rail or proposed light rail, including, for example, road works on a road; or</li> <li>(c) carrying out other works that contribute to the effectiveness and efficiency of the light rail network; or</li> <li>(d) carrying out the operation of a light rail; or</li> <li>(e) carrying out the operation of a public passenger service using light rail transport infrastructure; or</li> <li>(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 –</li> </ul> <p>even though the contracted works or operations, as stated in (a)-(e), relate to areas outside Council's area.</p>	Section 360A <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<p>Power to enter into an arrangement with the chief executive for the sharing of costs, including preliminary costs, of:-</p> <ul style="list-style-type: none"> <li>(a) acquiring land for light rail transport infrastructure; or</li> <li>(b) light rail transport infrastructure works on a on a light rail or land that is intended to become a light rail; or</li> <li>(c) works on land affected by a light rail or a proposed light rail, including, for example, road works on a road; or</li> <li>(d) other works that contribute to the effectiveness and efficiency of the light rail network; or</li> <li>(e) the operation of a light rail; or</li> <li>(f) the operation of a public passenger service using light rail transport infrastructure.</li> </ul>	Section 360A(10) <i>Transport Infrastructure Act 1994</i>	
<p>Power, as a light rail manager, to:-</p> <ul style="list-style-type: none"> <li>(a) give written approval to allow a person to interfere with light rail transport infrastructure or light rail transport infrastructure works; and</li> <li>(b) consult with the chief executive before approval is given.</li> </ul>	Section 362(1)(a) and (4) <i>Transport Infrastructure Act 1994</i>	
<p>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.</p>	Section 363(2) and (3) <i>Transport Infrastructure Act 1994</i>	
<p>Power, as a light rail manager, to:-</p> <ul style="list-style-type: none"> <li>(a) rectify an interference with light rail transport infrastructure or light rail transport infrastructure works; and</li> <li>(b) recover the reasonable costs of rectifying the interference as a debt from the person who was given written notice of the interference.</li> </ul>	Section 363(6) and (8) <i>Transport Infrastructure Act 1994</i>	
<p>Power, as a public utility provider, to do the following on light rail land:-</p> <ul style="list-style-type: none"> <li>(a) build, replace or take away, or alter, other than for maintenance or repair, its public utility plant;</li> </ul>	Section 366(1) <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<ul style="list-style-type: none"> <li>(b) maintain or repair, or alter, for maintenance or repair, its public utility plant;</li> <li>(c) take reasonable steps to stop obstruction or potential obstruction to, or interference or potential interference with, its public utility plant.</li> </ul>		
<p>Power, regarding the matters mentioned in subsection (1) of the section:-</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) as a light rail authority, to agree in writing to activities a public utility provider seeks to undertake.</li> </ul>	Section 366(2) <i>Transport Infrastructure Act 1994</i>	
<p>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:-</p> <ul style="list-style-type: none"> <li>(a) makes all reasonable attempts to obtain each authority's oral agreement to the carrying out of the maintenance; and</li> <li>(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.</li> </ul>	Section 366(4) <i>Transport Infrastructure Act 1994</i>	
<p>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 effects of the establishment of the infrastructure on Council's works.</p>	Section 367 <i>Transport Infrastructure Act 1994</i>	
<p>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.</p>	Section 368 <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to enter into a light rail franchise agreement with the Minister.	Section 377B <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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:- (c) 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 (d) 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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the Land Court to decide a compensation claim under subsection (1).	Section 383(3)(a) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power to apply to the chief executive for an investigator's authority for the land.	Section 403(2) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power, as an authorised investigator, to allow an associated person of Council to act under Council's authority.	Section 408(1) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Infrastructure Act 1994</i>	
Power to impose reasonable conditions on an approval given to a licensee's application made by Council or the Minister.	Section 423 <i>Transport Infrastructure Act 1994</i>	
Power to jointly, with a licensee applicant, appoint an independent arbitrator to resolve a dispute concerning approval conditions.	Section 426(1) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power, as an operational licensee, to make an agreement with the State regarding the ownership of miscellaneous transport infrastructure.	Section 431 <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to consent to Council's appointment as a manager of a public marine facility.	Section 459(2) <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power, as the manager of a public marine facility, to resign.	Section 467 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power, as an occupier of a place, to give consent to an authorised person under Chapter 15 to enter the place.	Section 475I <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make submissions to the chief executive in relation to a proposed declaration of a transport interface management area.	Section 475Z(2) <i>Transport Infrastructure Act 1994</i>	
Power to enter into a transport interface agreement for a transport interface.	Section 475ZJ <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power, as an owner or occupier of land, to undertake the following concerning the entry onto Council land pursuant to section 476B(7):- <ul style="list-style-type: none"> <li>(a) claim compensation for loss or damage caused by the entry on Council land; or</li> <li>(b) claim compensation for the taking or use of materials; or</li> <li>(c) require the chief executive to carry out works in restitution for the damage; or</li> <li>(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.</li> </ul>	Section 476C(2) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure Act 1994

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	
Power to retain penalties received or recovered by Council in relation to Council's tolling enforcement.	Section 480(4) <i>Transport Infrastructure Act 1994</i>	
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) <i>Transport Infrastructure Act 1994</i>	
Power to ask the chief executive to review a decision described in schedule 3 that has affected Council's interests.	Section 485 <i>Transport Infrastructure Act 1994</i>	
Power to apply to the Queensland Civil and Administrative Tribunal ("QCAT"), as provided under the <i>QCAT Act</i> , for a review of the chief executive's decision on a review under section 485.	Section 485A <i>Transport Infrastructure Act 1994</i>	
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 <i>Transport Infrastructure Act 1994</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Transport Infrastructure Act 1994**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Infrastructure Act 1994.</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Infrastructure (State Controlled Roads) Regulation 2017

<b>Document Reviewed:</b>	24/02/2020
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<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, where given a notice by the chief executive, to give the chief executive further information required to decide an application for an approval mentioned in section 50(2)(a) of the Act.	Section 14(2) <i>Transport Infrastructure (State Controlled Roads) Regulation 2017</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Operations (Marine Pollution) Act 1995

Document Reviewed:	26/02/2020
Reprint:	12/09/2019
Updated:	
New:	113(3), 122(1), 122(2)
Removed:	
Note:	New Reprint. Changes.

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Operations (Marine Pollution) Act 1995</i>	
Power, if acting as a prescribed entity, to ask the chief executive to secure its discharge expenses.	Section 113(3) <i>Transport Operations (Marine Pollution) Act 1995</i>	
Power, if acting as a prescribed entity, to recover its discharge expenses as a debt.	Section 122(1) <i>Transport Operations (Marine Pollution) Act 1995</i>	
Power, if acting as a prescribed entity, to ask the chief executive to recover its discharge expenses.	Section 122(2) <i>Transport Operations (Marine Pollution) Act 1995</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Transport Operations (Marine Safety) Act 1994**

Document Reviewed:	24/06/2020
Reprint:	28/05/2019
Updated:	
New:	
Removed:	
Note:	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power as a public authority to make a submission on a proposal to prepare a draft standard.	219C(4) <i>Transport Operations (Marine Safety) Act 1994</i>	
Power as a public authority to make a submission on a draft standard.	219E(3) <i>Transport Operations (Marine Safety) Act 1994</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Operations (Marine Safety) Regulation 2016

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/07/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Operations (Marine Safety) Regulation 2016</i>	
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) <i>Transport Operations (Marine Safety) Regulation 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Operations (Road Use Management) Act 1995

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	31/08/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Transport Operations (Road Use Management) Act 1995</i>	
Power to install official traffic signs where reasonably satisfied that there is a danger, hindrance, obstruction to traffic or other emergency.	Section 71 <i>Transport Operations (Road Use Management) Act 1995</i>	
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) <i>Transport Operations (Road Use Management) Act 1995</i>	
Power to remove unauthorised traffic signs.	Section 75(1) <i>Transport Operations (Road Use Management) Act 1995</i>	
Power to commence proceedings against a person who has injured one of Council's official traffic signs.	Section 76(1) <i>Transport Operations (Road Use Management) Act 1995</i>	
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 <i>Transport Operations (Road Use Management) Act 1995</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Operations (Road Use Management) Act 1995

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Transport Operations (Road Use Management) Act 1995</i>	
Power to regulate parking by installing official traffic signs indicating how parking is regulated.	Section 102(1) <i>Transport Operations (Road Use Management) Act 1995</i>	
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 <i>Transport Operations (Road Use Management) Act 1995</i>	
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) <i>Transport Operations (Road Use Management) Act 1995</i>	
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) <i>Transport Operations (Road Use Management) Act 1995</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/07/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to an authorising officer for a special event permit for an event.	Section 125(1) <i>Transport Operations (Road Use Management— Accreditation and Other Provisions) Regulation 2015</i>	
Power to ensure the conditions of a special event permit are complied with.	Section 127 <i>Transport Operations (Road Use Management— Accreditation and Other Provisions) Regulation 2015</i>	
Power to apply to an authorising officer for a special circumstances permit (e.g. to breach a provision of the Queensland Road Rules to serve an infringement notice).	Section 128(1) <i>Transport Operations (Road Use Management— Accreditation and Other Provisions) Regulation 2015</i>	
Power to apply to the chief executive for a permit under section 132.	Section 132(1) <i>Transport Operations (Road Use Management— Accreditation and Other Provisions) Regulation 2015</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Transport Operations (Road Use Management – Accreditation and  
Other Provisions) Regulation 2015**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the chief executive for written consent to drive a vehicle over the bridge or culvert.	Section 133(a) <i>Transport Operations (Road Use Management— Accreditation and Other Provisions) Regulation 2015</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Operations (Road Use Management – Road Rules) Regulation 2009

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	28/06/2019
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to issue a commercial vehicle identification label for the purposes of stopping in a loading zone.	Section 179(1)(c) <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i>	
Power to issue a permit to lead more than one animal on a road.	Section 301(4) <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Transport Operations (Road Use Management – Vehicle Registration) Regulation 2010

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/07/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an eligible person, to request information about a vehicle from, and pay the relevant fee to, the chief executive.	Section 115(1) <i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010</i>	
Power, as a local government toll road operator, to enter a written arrangement with the chief executive for the chief executive to give an extract from the register of information about a vehicle to an entity or person listed in section 116(1) or 116(2).	Sections 116(1) and 116(2) <i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Trusts Act 1973**

Document Reviewed:	17/09/2019
Reprint:	24/11/2017
Amended:	
Inserted:	
Omitted:	
Note:	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, where appointed trustee for certain purposes, to administer trust property.	Section 116 <i>Trusts Act</i> 1973	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

<b>Document Reviewed:</b>	17/09/2019
<b>Reprint:</b>	01/07/2019
<b>Amended:</b>	44(1), 45, 53
<b>Inserted:</b>	28, 29, 29(2), 33, 34(3)(e), 45(2), 49, 50(3)(e), 54, 56, 57, 59, 60, 61, 60(3), 63, 64, 65, 66, 67, 68, 69, 72, 72A, 72C, 72D, 72G, 72H, 72J(3)(c), 72L, 72M(1) and (2), 72R, 72S, 72U, 72V, 72W, 72X, 72Y, 72Z, 73A, 73C(2), (3) and (4), 73D(1) and (2), 73D(4), 317(2), 323, 324, 325
<b>Omitted:</b>	
<b>Note:</b>	<p>The State (via DERM as it was previously known) has delegated certain powers of the chief executive to local governments under section 263(1)(b) of the <i>Waste Reduction and Recycling Act 2011</i>. This has been done via:</p> <ul style="list-style-type: none"> <li>the Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015.</li> </ul> <p>The delegations specifically include the power to sub-delegate to an "appropriately qualified entity"</p>

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make an exempt waste application to the chief executive.	Section 28 <i>Waste Reduction and Recycling Act 2011</i>	
Power to provide further information or documents for an exempt waste application if required by the chief executive.	Section 29 <i>Waste Reduction and Recycling Act 2011</i>	
Power to agree with the chief executive about extending the time for providing further information or documents for an exempt waste application.	Section 29(2) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the holder of an approval of waste as exempt waste, to request an amendment of the approval, and agree with the chief executive to the amendment of the approval.	Section 33 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the holder of an approval of waste as exempt waste, to make submissions in response to a notice from the chief executive about cancelling or amending the approval.	Section 34(3)(e) <i>Waste Reduction and Recycling Act 2011</i>	
Power, in conducting a recycling activity prescribed by regulation, to make a residue waste discounting application to the chief executive.	Section 44(1) <i>Waste Reduction and Recycling Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the applicant for a residue waste discounting application, to provide further information or documents for the application if required by the chief executive.	Section 45 <i>Waste Reduction and Recycling Act 2011</i>	
Power to agree with the chief executive about extending the time for providing further information or documents for a waste residue discounting application.	Section 45(2) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the holder of an approval of a discounted rate for the waste levy for residue waste, to request an amendment of the approval, and agree with the chief executive to the amendment of the approval.	Section 49 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the holder of an approval of a discounted rate for the waste levy for residue waste, to make submissions in response to a notice from the chief executive about cancelling or amending the approval.	Section 50(3)(e) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site, to receive and request delivery information for waste.	Section 53 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a resource recovery and transfer facility, to receive and request delivery information for waste.	Section 54 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a levyable waste disposal site, to pay the chief executive the waste levy, including any interest.	Section 56 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site in the waste levy zone, to ensure a weighbridge is installed and operates at the site, is brought back into operation if out of operation, and give notice to the chief executive where the weighbridge is out of operation and brought back into operation, as required by sections 56 and 57.  NOTE: an exemption may apply until 30 June 2029 pursuant to chapter 16, part 3, division 2.	Sections 56 and 57 <i>Waste Reduction and Recycling Act 2011</i>	
Power to measure and record waste as required by sections 59, 60 and 61.  NOTE: an exemption may apply until 30 June 2029 pursuant to chapter 16, part 3, division 2.	Sections 59, 60 and 61 <i>Waste Reduction and Recycling Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the operator of a waste disposal site, to agree with the chief executive about an alternative way to measure and record the waste.	Section 60(3) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site and where the chief executive has given Council a notice under section 63(2), to install, maintain and operate a monitoring system as required by the notice, and comply with sections 64, 65 and 66.	Sections 63, 64, 65 and 66 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a levyable waste disposal site, to carry out volumetric surveys, ensure volumetric surveys are carried out, and give the chief executive copies of the results of the volumetric surveys as required by sections 67, 68 and 69.	Sections 67, 68 and 69 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a levyable waste disposal site, to give the chief executive a waste data return.	Section 72 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a levyable waste disposal site, to keep the documents stipulated in section 72A.	Section 72A <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a levyable waste disposal site, to apply to the chief executive to enter a waste levy instalment agreement, and enter the agreement.	Section 72C <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an amendment of a waste levy instalment agreement, and enter the amendment agreement.	Section 72D <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an extension of time to pay a waste levy amount.	Section 72G <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an extension of time to submit a waste data return and pay a waste levy amount.	Section 72H <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a levyable waste disposal site where the chief executive has decided an estimated waste levy amount under section 72J, to adjust the waste levy amount payable if a different amount is decided under a review of the chief executive's decision on the estimated waste levy amount.	Section 72J(3)(c) <i>Waste Reduction and Recycling Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the operator or former operator of a waste disposal site who is eligible for a bad debt credit, to apply to the chief executive for relief.	Section 72L <i>Waste Reduction and Recycling Act 2011</i>	
Power to respond to a notice from the chief executive requiring further reasonable information or documents about the application for a bad debt credit.	Section 72M(1) <i>Waste Reduction and Recycling Act 2011</i>	
Power to agree with the chief executive about extending the time for providing the further information or documents.	Section 72M(2) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site, to declare an area within the site as a resource recovery area by giving the chief executive notice of a proposed resource recovery area.	Sections 72R and 72S <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site with a resource recovery area, to amend the declaration as a resource recovery area by giving the chief executive notice of the proposed amendment.	Section 72U <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site with a resource recovery area, to cancel the declaration as a resource recovery area by giving the chief executive notice of the proposed cancellation.	Section 72V <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site with a resource recovery area and where the chief executive proposes to revoke the declaration, to make submissions to the chief executive to show why the declaration should not be revoked.	Section 72W <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site with a resource recovery area, to keep the documents and results stipulated in section 72X.	Section 72X <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a resource recovery area at a waste disposal site in the waste levy zone, to carry out volumetric surveys, ensure volumetric surveys are carried out and give the chief executive a copy of the results of the volumetric survey as required by section 72Y.  **NOTE: section 72Y only applies from 01 June 2020.	Section 72Y <i>Waste Reduction and Recycling Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the operator of a resource recovery area at a waste disposal site not in the waste levy zone, to carry out volumetric surveys, ensure volumetric surveys are carried out and give the chief executive a copy of the results of the volumetric survey as required by section 72Z.	Section 72Z <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site that has declared, or claims to have declared, a resource recovery area under section 72S, to ensure that the resource recovery area complies with section 73A(2).	Section 73A <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the physical barrier or points of access for the resource recovery area that does not change the boundaries of the area, to amend the plan of the waste disposal site, and give the chief executive notice and a copy of the amended plan.	Section 73C(2) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the recycling activities, to advise the chief executive of the change.	Section 73C(3) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the entity having responsibility for the operation of the resource recovery area, to advise the chief executive of the change.	Section 73C(4) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as a local government affected by the waste levy, to receive an annual payment from the chief executive and use that payment to mitigate any direct impacts of the waste levy on households in Council's local government area.	Sections 73D(1) and (2) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as a local government affected by the waste levy that receives an annual payment from the chief executive, to include a statement on rate notices that informs the ratepayer of the amount paid to the local government and the purpose of the payment.	Section 73D(4) <i>Waste Reduction and Recycling Act 2011</i>	
Power to apply to the chief executive for accreditation as scheme manager for a voluntary product stewardship scheme.	Section 89 <i>Waste Reduction and Recycling Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a participant in an accredited stewardship scheme, to amend the scheme by agreement with all other participants in the scheme.	Section 95 <i>Waste Reduction and Recycling Act 2011</i>	
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 <i>Waste Reduction and Recycling Act 2011</i>	
Power to claim a refund amount for an empty container under chapter 4, part 3B, division 3, subdivision 1.	Sections 99S(1) and 99U(1) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a container refund point, to accept the container and pay the person the refund amount for the container.	Section 99S(2) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a container refund point, to:- (a) keep each refund declaration given to the operator for at least 5 years after the declaration was given; (b) for the proof of identity document mentioned in section 99T(3)(c) that accompanied the declaration, make a copy of the proof of identity document and keep the copy with the declaration for at least 5 years after the declaration was given; (c) if asked by an authorised person - produce the declaration and copy of the proof of identity document for inspection by the authorised person.	Section 99Y(1) <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a container refund point, to enter a container collection agreement with the Organisation.	Section 99ZA <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a container refund point, to claim a collection amount from the Organisation for containers collected.	Section 99ZB <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a material recovery facility, to enter a material recovery agreement with the Organisation.	Section 99ZF <i>Waste Reduction and Recycling Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the operator of a material recovery facility, to claim the recovery amount from the Organisation.	Section 99ZH <i>Waste Reduction and Recycling Act 2011</i>	
Power, as the operator of a material recovery facility, to comply with the recovery amount protocol.	Section 99ZL <i>Waste Reduction and Recycling Act 2011</i>	
Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	Section 110 <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to Chapter 5, Part 2 of the Act.
Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	Section 111 <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to Chapter 5, Part 2 of the Act.
Power, as delegate of the chief executive administering the Act, to direct a responsible entity to collect material from premises.	Section 112 <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to Chapter 5, Part 2 of the Act.
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 <i>Waste Reduction and Recycling Act 2011</i>	
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 <i>Waste Reduction and Recycling Act 2011</i>	
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 <i>Waste Reduction and Recycling Act 2011</i>	
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 <i>Waste Reduction and Recycling Act 2011</i>	
Power to make a submission about a potential end of waste code	Section 160 <i>Waste Reduction and Recycling Act 2011</i>	
Power to make a submission about a draft end of waste code	Section 165 <i>Waste Reduction and Recycling Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to amend an end of waste code	Section 168 <i>Waste Reduction and Recycling Act 2011</i>	
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 <i>Waste Reduction and Recycling Act 2011</i>	
Power to give the chief executive a notice stating that Council intends to become a registered resource producer for the code.	Section 173B(1) <i>Waste Reduction and Recycling Act 2011</i>	
Power to give the chief executive a notice in the approved form.	Section 173B(3) <i>Waste Reduction and Recycling Act 2011</i>	
Power to make a submission in response to a notice issued by the chief executive.	Section 173D <i>Waste Reduction and Recycling Act 2011</i>	
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 <i>Waste Reduction and Recycling Act 2011</i>	
Power to apply to the chief executive for an end of waste approval to conduct a trial for 1 kind of waste.	Section 173I <i>Waste Reduction and Recycling Act 2011</i>	
Power to comply with the conditions of an end of waste approval.	Section 173K <i>Waste Reduction and Recycling Act 2011</i>	
Power to apply to the chief executive to extend an end of waste approval.	Section 173L <i>Waste Reduction and Recycling Act 2011</i>	
Power to apply to the chief executive to amend an end of waste approval.	Section 173M <i>Waste Reduction and Recycling Act 2011</i>	
Power to apply to the chief executive to transfer an end of waste approval.	Section 173O <i>Waste Reduction and Recycling Act 2011</i>	
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 <i>Waste Reduction and Recycling Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to respond to a request from the chief executive for further information or documents required to decide an application under chapter 8A.	Section 173T <i>Waste Reduction and Recycling Act 2011</i>	
Power to respond to a show cause notice from the chief executive.	Section 173ZB <i>Waste Reduction and Recycling Act 2011</i>	
Power to surrender an approval by giving notice to the chief executive officer.	Section 173ZE <i>Waste Reduction and Recycling Act 2011</i>	
Power to respond to a notice from the chief executive requiring information about an approval.	Section 173ZF <i>Waste Reduction and Recycling Act 2011</i>	
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 <i>Waste Reduction and Recycling Act 2011</i>	
Power to, as delegate of the chief executive administering the Act, apply for an internal review of the decision.	Section 175 <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to sections 248(2) and 253(3) of the Act.
Power to, as delegate of the chief executive administering the Act, extend the time for making an internal review application.	Section 176(2) <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to sections 248(2) and 253(3) of the Act.
Power, where an internal review application has been made, to apply for a stay of the original decision.	Section 177 <i>Waste Reduction and Recycling Act 2011</i>	
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 <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to sections 248(2) and 253(3) of the Act.
Power to, as delegate of the chief executive administering the Act, give notice of an internal review decision.	Section 179 <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to sections 248(2) and 253(3) of the Act.
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 <i>QCAT Act</i> , for external review of the decision.	Section 180 <i>Waste Reduction and Recycling Act 2011</i>	

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### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as delegate of the chief executive administering the Act, to appoint a person as an authorised person.	Section 183 <i>Waste Reduction and Recycling Act 2011</i> and	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"> <li>- Chapter 5, Parts 1, 2 and 3, Division 1 and 2 of the Act;</li> <li>- Section 251(a);</li> <li>- Section 251(c);</li> <li>- Section 254; and</li> <li>- Section 264.</li> </ul>
Power, as delegate of the chief executive administering the Act, to issue an identity card to an authorised person.	Section 187 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as delegate of the chief executive administering the Act, to give a show cause notice.	Section 246 <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2) and 112(2) of the Act.
Power, as delegate of the chief executive administering the Act, to give a compliance notice.	Sections 248 and 249 <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2) and 112(2) of the Act.
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 <i>Waste Reduction and Recycling Act 2011</i>	As this power relates to section 104 of the Act.
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 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as an operator of a levyable waste disposable site, to apply to the chief executive for an exemption during the transition period from the requirements of section 57.	Sections 317(2) <i>Waste Reduction and Recycling Act 2011</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an operator of a levyable waste disposable site in the waste levy zone, to carry out a volumetric survey, ensure a volumetric survey is carried out, give a copy of the results of the volumetric survey to the chief executive, and keep a copy of the results as required by section 323.	Sections 323 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as an entity having responsibility for the operation of a resource recovery area for a waste disposal site in the waste levy zone, to carry out a volumetric survey, ensure a volumetric survey is carried out, give a copy of the results of the volumetric survey to the chief executive, and keep a copy of the results as required by section 324.	Sections 324 <i>Waste Reduction and Recycling Act 2011</i>	
Power, as an operator of a small site, to give the chief executive written notice of a proposed alternative methodology for measuring and recording waste at the site and implement that alternative methodology. NOTE: this section only applies until 30 June 2021.	Sections 325 <i>Waste Reduction and Recycling Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Regulation 2011

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/07/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, where Council has, by resolution, designated areas to conduct general waste or green waste collection, to decide the frequency of general waste or green waste collection in designated areas.	Section 7(b) <i>Waste Reduction and Recycling Regulation 2011</i>	
Power, where the container collection agreement allows the operator to subcontract the operation of the container refund point, to give the Organisation notice of the information contained in subsection (3)	Section 22(3) <i>Waste Reduction and Recycling Regulation 2011</i>	
Power to sign the notice about a recovery sharing arrangement on behalf of Council.	Section 26(3)(a) <i>Waste Reduction and Recycling Regulation 2011</i>	
Power to give the information required by sections 41Q(2) and 41Q(3) to the Chief Executive	Section 41Q <i>Waste Reduction and Recycling Regulation 2011</i>	
Power to give the information required by sections 41ZL(1) and 41ZL(2) to the Chief Executive.	Section 41ZL <i>Waste Reduction and Recycling Regulation 2011</i>	
Power to prepare an emergency plan and keep it up to date.	Section 41ZM <i>Waste Reduction and Recycling Regulation 2011</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	1/12/2020
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	<p>By virtue of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> the following councils do NOT have powers as "service provider" under the <i>Water Act 2000</i>:</p> <ul style="list-style-type: none"> <li>• Sunshine Coast Regional Council</li> <li>• Moreton Bay Regional Council</li> <li>• Brisbane City Council</li> <li>• Ipswich City Council</li> <li>• Scenic Rim Regional Council</li> <li>• Lockyer Valley Regional Council</li> <li>• Somerset Regional Council</li> </ul>

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a service provider directed to impose water restrictions under section 25D, to provide the Minister with a response stating the way it intends to ensure the restrictions are complied with.	Section 25C(d)(iii) <i>Water Act 2000</i>	
Power, as a service provider directed to achieve outcomes, to provide the Minister with a response stating: <ol style="list-style-type: none"> <li>1. its intended actions to achieve those outcomes; and</li> <li>2. if the actions include restrictions; how it intends to ensure compliance with the restrictions.</li> </ol>	Section 25C(d)(v) <i>Water Act 2000</i>	
Power, as a service provider, to comply with a direction given under a water supply emergency declaration.	Section 25E <i>Water Act 2000</i>	
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: <ol style="list-style-type: none"> <li>(a) contributions made by the State; and</li> <li>(b) costs in section 25O(1) <i>Water Act 2000</i> to the extent approved by the Minister; and</li> <li>(c) the rate of return.</li> </ol>	Section 25O <i>Water Act 2000</i>	
Power, as a service provider, to apply to the Minister for compensation for loss or damage because of actions	Section 25R <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
taken under Chapter 1A, Part 1 <i>Water Act 2000</i> and to provide other relevant information required by the Minister.		
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 <i>Water Act 2000</i>	
Power, as a service provider, to comply with a notice requiring information issued by the chief executive.	Section 25Y <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
Power, as a service provider, to respond to a request for further information about the application from the chief executive.	Section 25ZA(3) <i>Water Act 2000</i>	
Power, as a water service provider in the circumstance provided in subsection (1), to impose a restriction on the use of subartesian water by a customer of the water service provider in an area.	Section 25ZE <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as an owner of land, to give the chief executive an owner's notice.	Section 36 <i>Water Act 2000</i>	
Power, as a resource operations licence holder, to consult with the chief executive about the proposed temporary release of water from the reserve.	Section 40B(3) <i>Water Act 2000</i>	
Power to respond to a notice of public consultation on a proposed water plan.	Section 44 <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to make a submission on a draft water plan.	Section 46 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power to make submissions in response to a notice of the making of a draft water use plan.	Section 61 <i>Water Act 2000</i>	
Power to consult with the chief executive about the amendment or replacement of a water management protocol.	Section 69(2)(c) <i>Water Act 2000</i>	
Power to make submissions in response to a notice of the making of a draft water entitlement notice.	Section 72 <i>Water Act 2000</i>	
Power to take water for any of the purposes referred to in section 93.	Section 93 <i>Water Act 2000</i>	
Power to interfere with water for any of the purposes referred to in section 94.	Section 94 <i>Water Act 2000</i>	
Power as owner of land to take water for stock or domestic purposes.	Section 96 <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
Power, as a constructing authority or water service provider, to take water to operate public showers or toilets.	Section 99(1) <i>Water Act 2000</i>	
Power, as a constructing authority, to take water to construct or maintain infrastructure.	Section 99(2) <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as an owner of a parcel or parcels of land, to apply for a water licence for the parcel or parcels.	Section 107 <i>Water Act 2000</i>	
Power, as a prescribed entity, to apply for a water licence for taking water or interfering with the flow of water.	Section 107(4) <i>Water Act 2000</i>	
Power, as an entity mentioned in subsection (1), to apply for a transmission water licence.	Section 108 <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.	Section 111 <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
Power to give the chief executive evidence of the publication.	Section 112(6) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power to apply to have a water licence reinstated.	Section 125 <i>Water Act 2000</i>	
Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.	Section 128 <i>Water Act 2000</i>	
Power to respond to a show cause notice issued by the chief executive pursuant to subsection (3).	Section 134 <i>Water Act 2000</i>	
Power to surrender a water licence.	Section 136 <i>Water Act 2000</i>	
Power to apply for a water permit for an activity.	Section 137 <i>Water Act 2000</i>	
Power, if the chief executive requires, to give additional information about an application.	Section 137A <i>Water Act 2000</i>	
Power, as an allocation holder and as a resource operations licence holder to enter a supply contract for the allocation.	Section 147(4) <i>Water Act 2000</i>	
Power, as a licence holder, to require the allocation holder to give reasonable security for supplying and storing the allocation.	Section 149 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as a water allocation holder given a certificate under sections 157 or 159, to lodge it with the registrar.	Section 161 <i>Water Act 2000</i>	
Power, as a water allocation holder, to surrender the water allocation by agreement with the chief executive.	Section 162(1) <i>Water Act 2000</i>	
Power, as the holder of a water allocation managed under a resource operations licence or a distribution operations licence, to consent to the surrender of the water allocation with or without conditions.	Section 162(2) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	

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### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
Power to search and obtain copies of documents in the water allocations register and pay any fees associated with the request.	Section 175 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
Power, as the holder of a resource operations licence in the circumstances listed in subsection (4), to ask the chief executive to refer the proposed change to the rules to a referral panel.	Section 183(6) <i>Water Act 2000</i>	
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(1) <i>Water Act 2000</i>	
Power, as the holder of a resource operations licence in the circumstances listed in subsection (4), to ask the chief executive to refer the proposed change to the rules to a referral panel.	Section 184(6) <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as the current infrastructure owner or incoming owner, to give written consent to the application to transfer.	Section 188 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as the holder of a resource operations licence or distribution operations licence, or the water infrastructure owner, to respond to a show cause notice issued by the chief executive about the proposed cancellation of the licence.	Section 195(1) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
Power, as the holder of a relevant licence, to apply to the chief executive to amend the relevant licence.	Section 200(4) <i>Water Act 2000</i>	
Power, as the holder of the licence, to publish a statement of the changes made to the operations manual.	Section 200(6) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
Power, as a relevant entity given a direction under section 203B(1), to comply with the direction.	Section 203D <i>Water Act 2000</i>	
Power to apply for an operations licence.	Section 206 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power to apply to the chief executive to amend an operations licence.	Section 211 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as the holder of an operations licence, to consent to a different day being stated in the operations licence.	Section 213(4) <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Act 2000</i>	
Power, as a licensee, to apply to transfer the operations licence and pay any fee associated with the application.	Section 215 <i>Water Act 2000</i>	
Power, as a licensee, to surrender an operations licence by giving the chief executive a notice of surrender	Section 216 <i>Water Act 2000</i>	
Power to apply to the chief executive for a permit to destroy vegetation, excavate or place fill in a watercourse, lake or spring.	Section 218 <i>Water Act 2000</i>	
Power as the registered owner of land to consent to the making of an application for a permit to destroy vegetation, excavate or place fill in a watercourse, lake or spring.	Section 218(3) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as an owner of land to comply with a notice issued by the chief executive pursuant to subsection (3).	Section 225(5) <i>Water Act 2000</i>	
Power to apply for an allocation of quarry material.	Section 227 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as an allocation notice holder, to apply to renew the allocation notice before it expires.	Section 236 <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Act 2000</i>	
Power, as an allocation holder, to surrender the allocation notice by giving the chief executive a notice of surrender.	Section 239 <i>Water Act 2000</i>	
Power, as an allocation holder, to pay the royalty or price payable for quarry material removed under the allocation notice.	Section 240 <i>Water Act 2000</i>	
Power to make written submissions in response to a notice published pursuant to section 345 of the <i>Water Act 2000</i>	Section 345 <i>Water Act 2000</i>	
Power to prepare a draft water security program	Section 354 <i>Water Act 2000</i>	
Power to prepare a revised draft water security program	Section 357(4)m <i>Water Act 2000</i>	
Power to decide not to prepare a revised draft water security program	Section 357(6) <i>Water Act 2000</i>	
Power to finalise a water security program	Section 358 <i>Water Act 2000</i>	
Power to review a water security program	Section 359 <i>Water Act 2000</i>	
Power to amend a water security program	Section 360 <i>Water Act 2000</i>	
Power, as a bulk water party, to amend a bulk water supply agreement	Section 360H <i>Water Act 2000</i>	
Power, as a bulk water party to an amended bulk water supply agreement, to respond to Minister's notice under section 360I	Section 360I <i>Water Act 2000</i>	
Power, as a code regulated entity to make submissions to the Minister about the making or amending of the bulk water code	Section 360U <i>Water Act 2000</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Act 2000</i>	
Power, as an owner of land, to comply with any reasonable request by the holder made under subsection (1).	Section 404 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as an owner of a water bore, to comply with any reasonable request by the tenure holder made under subsection (1).	Section 416 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425, to give the other party and the chief executive a conference election notice.	Section 426(2)(a) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425, to give the other party an ADR election notice.	Section 426(2)(b) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425 who is given an ADR election notice, to accept or refuse the type of ADR and the ADR facilitator proposed in the notice.	Section 426(6) <i>Water Act 2000</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a party to a dispute referred to in section 425 who has given an ADR election notice and where the party given the ADR election notice has not accepted the type of ADR or ADR facilitator under section 426(6), to make another proposal, or obtain a decision from the Land Court or prescribed ADR institute about the matter not accepted, and, for a decision from the Land Court or prescribed ADR institute, give the other party notice of the decision.	Sections 426(7) and 426(8) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425 and who is the resource tenure holder, to bear the costs of the ADR facilitator.	Section 426(9) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425 and where an ADR election notice has been given under section 426(2)(b), to use all reasonable endeavours to resolve the dispute.	Section 427(2) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425 and where a conference election notice or an ADR election notice has been given, to ask for and agree to a longer period to apply instead of the usual period.	Section 427(3) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425, to attend a conference.	Section 429(1) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a party to a dispute referred to in section 425 where a conference election notice or ADR election notice has been given and the dispute has not resolved by the end of the period under section 427(2) or (4), to give an arbitration election notice.	Section 433A(2) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425 and where an arbitration election notice has been given, to accept or refuse the request for arbitration.	Section 433A(4) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425 and where an arbitration election notice has been given, to jointly appoint an arbitrator.	Section 433A(5) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425, the party giving an arbitration election notice and where the parties do not jointly appoint an arbitrator under section 433A(5), to require a prescribed arbitration institute to appoint an arbitrator.	Section 433A(6) <i>Water Act 2000</i>	
Power, as a party to a dispute referred to in section 425 that is the subject of arbitration, to pay the fees and expenses of the arbitrator as required by section 433E.	Section 433E <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power to make a submission in response to a proposal to amend the establishment regulation for a water authority.	Section 556 <i>Water Act 2000</i>	
Power to make a submission in response to a proposal to change the composition of the board of a water authority.	Section 598A <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a relevant registered owner of land in the authority area, to enter a closed water activity agreement.	Section 695A <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
Power to comply with a requirement of the Minister made under this subsection.	Section 700A(2) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as lessee 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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	
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) <i>Water Act 2000</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to give a claim for compensation under Chapter 8, Part 3 to the chief executive.	Section 988 <i>Water Act 2000</i>	
Power, if one of the stated authorities, to have a supply contract with SEQ Water for Council's water entitlement.	Section 992C <i>Water Act 2000</i>	
Power, as a client, to consent to the disclosure of commercially sensitive information.	Section 1010A(2) <i>Water Act 2000</i>	
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 <i>Water Act 2000</i>	
Power, as holder of the new licence, to request the chief executive to make a validating declaration in relation to the licence.	Section 1273B <i>Water Act 2000</i>	
Power, as a holder of a distribution operations licence or a resource operations licence, to consent to the chief executive amending the licence without complying with the provisions of chapter 2, part 3, division 5, subdivision 2.	Section 1288 <i>Water Act 2000</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Fluoridation Act 2008

Document Reviewed:	17/09/2019
Reprint:	01/11/2013
Amended:	
Inserted:	
Omitted:	
Note:	

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Fluoridation Act 2008</i>	
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) <i>Water Fluoridation Act 2008</i>	
Power to give the chief executive notice stating the Council has made a fluoridation decision and to publish that notice.	Section 13(2) <i>Water Fluoridation Act 2008</i>	
Power to give the chief executive a fluoridation notice and to publish that notice.	Section 13(3) <i>Water Fluoridation Act 2008</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Fluoridation Regulation 2020

Document Reviewed:	26/02/2020
Reprint:	21/02/2020
Updated:	
New:	6(2), 6(3), 9(1), 10(1), 15(1), 16(1), 19, 20, 21(2)
Removed:	
Note:	NEW REGISTER

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a public potable water supplier, to ask the manufacturer, importer or supplier of the fluoride compound for a copy of a batch analysis certificate.	<i>Section 6(2) Water Fluoridation Regulation 2020</i>	
Power, as a public potable water supplier, to:- (a) send a sample of the fluoride compound to an accredited laboratory for analysis to determine the concentrations of any impurities in the fluoride compound; and (b) obtain the results of the analysis.	<i>Section 6(3) Water Fluoridation Regulation 2020</i>	
Power, as a public potable water supplier, to give the chief executive a notice if its automatic fluoride dosing equipment has not been in operation for a continuous period of 14 days.	<i>Section 9(1) Water Fluoridation Regulation 2020</i>	
Power, as a public potable water supplier, to give the chief executive a notice if its automatic fluoride dosing equipment resumes operation after it has been out of operation for a continuous period of 14 days.	<i>Section 10(1) Water Fluoridation Regulation 2020</i>	
Power, as a public potable water supplier who uses naturally occurring fluoride, to give the chief executive a notice if its water blending equipment has not been in operation for a continuous period of 14 days.	<i>Section 15(1) Water Fluoridation Regulation 2020</i>	
Power, as a public potable water supplier who uses naturally occurring fluoride, to give the chief executive a notice if its water blending equipment resumes operation after it has been out of operation for a continuous period of 14 days.	<i>Section 16(1) Water Fluoridation Regulation 2020</i>	

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## ATTACHMENT TWO

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Fluoridation Regulation 2020

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a public potable water supplier, to carry out a prescribed test and keep the results of each prescribed test for at least 5 years.	<i>Section 19 Water Fluoridation Regulation 2020</i>	
Power, as a public potable water supplier, to <ul style="list-style-type: none"> <li>(a) divide a sample collected under section 19(1)(a) into 2 parts;</li> <li>(b) measure the concentration of 1 part of the sample using an approved method;</li> <li>(c) send the other part of the sample to an accredited laboratory to measure the concentration of fluoride in the part using an approved method;</li> <li>(d) obtain the results of the analysis performed under subsection 20(1)(c); and</li> <li>(e) keep the results of the analysis for at least 5 years.</li> </ul>	<i>Section 20 Water Fluoridation Regulation 2020</i>	
Power, as a public potable water supplier, to comply with a request of the chief executive under subsection 21(1) and notify the chief executive of the results of the additional test.	<i>Section 21(2) Water Fluoridation Regulation 2020</i>	
Power, as a public potable water supplier who adds a fluoride compound to the potable water supply, to record each day:- <ul style="list-style-type: none"> <li>(a) the volume of water to which the fluoride compound has been added;</li> <li>(b) the amount of the fluoride compound the water supplier has added for the day, even if the amount is zero;</li> <li>(c) the calculated fluoride concentration of the fluoridated water;</li> <li>(d) the fluoride concentration of the fluoridated water, measured by a prescribed test.</li> </ul>	<i>Section 22(2) Water Fluoridation Regulation 2020</i>	
Power, as a public potable water supplier, to prepare a report each quarter stating the matters prescribed in subsection 23(1) for the quarter and give the report to the chief executive.	<i>Section 23 Water Fluoridation Regulation 2020</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Water Fluoridation Regulation 2020**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a public potable water supplier, to give the chief executive supporting information for a fluoridation notice to the chief executive under section 13(3)(a) of the Act.	<i>Section 24(2) Water Fluoridation Regulation 2020</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO Water Regulation 2016

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	28/08/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to apply to the chief executive to relocate a water licence.	Section 34 <i>Water Regulation 2016</i>	
Power, as the holder of the water licence to be relocated, to swear the statutory declaration required in subsection (3)(b)(i).	Section 34(3)(b)(i) <i>Water Regulation 2016</i>	
Power, as an interested entity, to provide written consent to the proposed relocation.	Section 34(3)(b)(ii) <i>Water Regulation 2016</i>	
Power, as an applicant under section 34, to give the chief executive a transfer notice.	Section 37 <i>Water Regulation 2016</i>	
Power, as a proposed transferee, to give the chief executive a document evidencing ownership of land to which the new licence will attach.	Section 38(2) <i>Water Regulation 2016</i>	
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) <i>Water Regulation 2016</i>	
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) <i>Water Regulation 2016</i>	
Power to comply with a notice issued by the chief executive under subsection (2).	Section 64(2) <i>Water Regulation 2016</i>	
Power to give the chief executive evidence of the publication.	Section 64(5)(a) <i>Water Regulation 2016</i>	
Power to give the chief additional information required under subsection (1) and to verify the information by statutory declaration.	Section 65 <i>Water Regulation 2016</i>	
Power, where Council has made an application under section 63, to pay the estimated cost to the chief executive.	Section 66(3) <i>Water Regulation 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS

### COUNCIL TO CEO

#### Water Regulation 2016

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to comply with a meter notice issued by the chief executive.	Section 108 <i>Water Regulation 2016</i>	
Power, as a relevant person in the circumstances specified in subsection (1) (excluding a person given a notice under section 110AA), to give the chief executive a written notice stating the meter is a faulty meter.	Section 110A(3) <i>Water Regulation 2016</i>	
Power, as a relevant person in the circumstances specified in subsection (1), to give the chief executive all the information stated in subsection (4) before the expiry date.	Section 110A(4) <i>Water Regulation 2016</i>	
Power, as a relevant person in the circumstances specified in subsection (1), to, before the expiry date:- (a) ensure that a meter, other than a faulty meter, is attached to the works; (b) arrange a validation inspection for the meter and give the chief executive a copy of the validation certificate for the meter.	Section 110A(5) <i>Water Regulation 2016</i>	
Power, as a relevant person in the circumstances specified in subsection (1), to request the expiry date be extended.	Section 110A(6) <i>Water Regulation 2016</i>	
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 <i>Water Regulation 2016</i>	
Power, as a holder or owner mentioned in section 112(1), to comply with a notice issued by the chief executive under subsection (3) before the expiry date.	Section 112A(5) <i>Water Regulation 2016</i>	
Power, as a holder or owner mentioned in section 112(1), to request the expiry date be extended.	Section 112A(6) <i>Water Regulation 2016</i>	
Power to comply with a notice from the chief executive requiring Council to read a meter, provide the meter reading to the chief executive and notify the chief executive about whether or not the meter is faulty.	Section 113(3) <i>Water Regulation 2016</i>	
Power to pay a meter operating charge to the chief executive.	Section 115 <i>Water Regulation 2016</i>	
Power to pay a meter use charge to the chief executive.	Section 116 <i>Water Regulation 2016</i>	
Power to give the chief executive a notice that Council has decided to stop using an approved meter.	Section 117(1) <i>Water Regulation 2016</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**  
**Water Regulation 2016**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to pay the metering exit charge.	Section 117(3) <i>Water Regulation 2016</i>	
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) <i>Water Regulation 2016</i>	
Power as a licensee to pay the water licence fee stated in the notice received from the chief executive.	Section 131(2)(b) <i>Water Regulation 2016</i>	
Power to pay a charged levied by a notice received from the chief executive pursuant to this section.	Section 134(1)(d) <i>Water Regulation 2016</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

<b>Document Reviewed:</b>	24/06/2020
<b>Reprint:</b>	25/05/2020
<b>Amended:</b>	
<b>Inserted:</b>	
<b>Omitted:</b>	
<b>Note:</b>	<p>By virtue of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> the following councils do NOT have powers as "service provider" under the <i>Water Supply (Safety and Reliability) Act 2008</i>:</p> <ul style="list-style-type: none"> <li>• Sunshine Coast Regional Council</li> <li>• Moreton Bay Regional Council</li> <li>• Brisbane City Council</li> <li>• Ipswich City Council</li> <li>• Scenic Rim Regional Council</li> <li>• Lockyer Valley Regional Council</li> <li>• Somerset Regional Council</li> </ul>

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a responsible entity, to respond to a notice to give information received from the regulator.	Section 13 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a service provider, to apply to change the service provider's details of registration in the service provider register.	Section 23 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, to respond to the regulator's request to give additional information about a transfer notice.	Section 25A(3) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to respond to a request by the regulator for additional information about a possible stoppage.	Section 26(4) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to give notice to the regulator that the service provider has stopped supplying a registered service.	Section 26(8) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to consider a response provided to a notice issued pursuant to section 33(2).	Section 33(4) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to give a person a notice requiring them to rectify equipment or remove vegetation or other things.	Section 34(2) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to give a person an entry notice.	Section 36(2)(b) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as water service provider, to restrict: <ul style="list-style-type: none"> <li>(a) the volume of water taken by or supplied to a customer or type of customer; or</li> <li>(b) the hours when water may be used on premises for stated purposes; or</li> <li>(c) the way water may be used on premises.</li> </ul>	Section 41(1) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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)	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to shut off water supply without notice if there is: <ul style="list-style-type: none"> <li>(a) a serious risk to public health;</li> <li>(b) likelihood of serious injury to persons or damage to property; or</li> <li>(c) another emergency.</li> </ul>	Section 44(3) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to appoint an authorised person.	Section 45 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to issue an identity card to an authorised person.	Section 46 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to approve or refuse a water efficiency management plan.	Section 54(2) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to give an information notice.	Section 54(3) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a service provider, to comply with a written direction of the Chief Executive	Section 57(2) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a service provider, to give a customer a notice to comply with a water efficiency management plan.	Section 60 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a service provider, to require a customer to review a water efficiency management plan.	Section 61 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a drinking water service provider, to prepare a drinking water quality management plan.	Section 95 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a drinking water service provider, to provide information requested by the regulator.	Section 96 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a drinking water service provider, to amend, with the agreement of the Regulator, a drinking water quality management plan.	Section 99A <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a drinking water service provider, to apply to amend a drinking water quality management plan.	Section 100 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as drinking water service provider, to make submissions in response to a show cause notice issued by the regulator regarding proposed amendments to the drinking water quality management plan.	Section 101 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a service provider, to arrange for the preparation of a performance audit report and to give it to the regulator.	Section 108A <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a service provider, to review a customer service standard.	Section 120 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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> , to make the notice available for inspection and purchase, and to give the regulator a copy of the notice.	Section 162 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a service provider, to:- a) keep a map of the service area; b) update the map, at least annually.	Section 163 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as sewerage service provider, to suspend or cancel a trade waste approval or seepage water approval.	Section 182 <i>Water Supply (Safety and Reliability) Act 2008</i>	Complying with section 183 of the <i>Water Supply (Safety and Reliability) Act 2008</i>
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to give or refuse written consent for a person to connect or disconnect from Council's infrastructure.	Section 191 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to give or refuse written consent for a person to interfere with Council's infrastructure.	Section 192(1) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a service provider, to give or refuse written consent for a person to: <ul style="list-style-type: none"> <li>(a) build over;</li> <li>(b) interfere with access to;</li> <li>(c) increase or reduce the cover over; or</li> <li>(d) change the surface of land in a way causing ponding of water over an access chamber for;</li> </ul> Council's infrastructure.	Section 192(2) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as service provider, to give or refuse written consent for a person to take water from Council's infrastructure.	Section 195 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a relevant entity for a recycled water scheme to apply for registration of the scheme.	Section 196AA <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as the relevant entity for recycled water scheme, to amend the recycled water management plan with the regulator's agreement.	Section 209 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a relevant entity for the recycled water scheme to apply to the regulator for approval of an amendment to a recycled water management plan.	Sections 212 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as an alerting entity, to inform the regulator and the responsible entity for the prescribed incident about a prescribed incident.	Sections 271(2) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as recycled water provider or another entity, to respond to a notice issued by the regulator pursuant to this section.	Section 302 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as sewerage service provider, to comply with a regulator notice.	Section 330 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a sewerage service provider, to give the regulator a report about the actions taken to comply with a regulator notice.	Section 331 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as the owner of a dam, to have it failure impact assessed, give it to the chief executive and pay the prescribed fee.	Sections 343, 344 and 345 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a dam owner, to give the chief executive additional information about a failure impact assessment.	Section 349(2) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a dam owner, to comply with an information notice issued by the chief executive pursuant to this section.	Section 352 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as the owner of a referable dam, to comply with a notice issued by the chief executive pursuant to this section.	Section 352L <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as the owner of a referable dam, to keep a copy of the approved emergency action plan for the dam and make it available to an individual:- (a) who has a function under the plan; or (b) who, under the plan, is named and required to be personally notified of a dam hazard event or emergency event.	Section 352N <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as the owner of a referable dam, to comply with a notice issued by the chief executive pursuant to this section.	Section 352O <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as the owner of a referable dam, to ask 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(1) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as the owner of a referable dam, to ask to the chief executive to record the change in ownership of the dam and make other changes to the plan required because of the change in ownership.	Section 352Q(1A) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as the owner of a referable dam, to comply with a notice issued by the chief executive pursuant to this section.	Section 352U <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power to comply with a compliance notice issued by the chief executive pursuant to this section.	Section 359 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a former owner of a dam, to give the chief executive notice of the change in ownership and give the new owner all relevant documentation for the dam.	Section 366 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a dam owner, to give the chief executive the authorisation request information.	Section 379 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 give notice of the reduced full supply level.	Section 399B <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power to prepare an improvement plan in response to an improvement notice issued by the regulator.	Sections 446(2) and 447 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power to respond to a show cause notice issued by the regulator pursuant to this section.	Section 446(3) <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power to comply with a direction issued by the regulator pursuant to this section 448.	Sections 448 and 449 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as an interested person for an original decision, to apply for an internal review of the decision.	Section 512 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as the recipient of a submitter notice on an internal review application, to make written submissions on the application.	Section 513(4) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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) <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as water service provider, to make guidelines for persons about preparing a water efficiency management plan.	Section 573 <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

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

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a service provider, to keep available for inspection and purchase the documents referred to in the section.	Section 575 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as a service provider, to publish each of the documents referred to in the section.	Section 575A <i>Water Supply (Safety and Reliability) Act 2008</i>	
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 <i>Water Supply (Safety and Reliability) Act 2008</i>	
Power, as the relevant entity for a recycled water scheme, to publish the annual report prepared under section 273.	Section 576A <i>Water Supply (Safety and Reliability) Act 2008</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Work Health and Safety Act 2011

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	14/09/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	141A, 142A
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to notify the regulator after becoming aware a notifiable incident has occurred	Section 38 <i>Work Health and Safety Act 2011</i>	
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 <i>Work Health and Safety Act 2011</i>	
Power to facilitate the conduct of an election for 1 or more health and safety representatives to represent workers	Sections 51 to 54 <i>Work Health and Safety Act 2011</i>	
Power to make an application to the commission to disqualify a health and safety representative.	Section 65 <i>Work Health and Safety Act 2011</i>	
Power to comply with the general obligations of a person conducting a business or undertaking provided in section 70.	Section 70 <i>Work Health and Safety Act 2011</i>	
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) <i>Work Health and Safety Act 2011</i>	
Power, as person conducting a business or undertaking, to refuse to grant access to information mentioned in section 70(1)(c) if the information is confidential commercial information.	Section 71(7) <i>Work Health and Safety Act 2011</i>	
Power to ask the regulator to appoint an inspector to decide the matter.	Section 72(5) <i>Work Health and Safety Act 2011</i>	
Power as a person conducting a business or undertaking to comply with subsections (a) to (c).	Section 74 <i>Work Health and Safety Act 2011</i>	
Power to establish a health and safety committee.	Sections 75 to 78 <i>Work Health and Safety Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Work Health and Safety Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Work Health and Safety Act 2011</i>	
Power to ask the regulator to appoint an inspector to assist in resolving the issue.	Section 82(2) <i>Work Health and Safety Act 2011</i>	
Power to direct the worker to carry out suitable alternative work at the same or another workplace.	Section 87 <i>Work Health and Safety Act 2011</i>	
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 <i>Work Health and Safety Act 2011</i>	
Power to give a copy of the provisional improvement notice to the regulator.	Section 97A <i>Work Health and Safety Act 2011</i>	
Power to give the industrial registrar written notice of the dispute.	Section 102B <i>Work Health and Safety Act 2011</i>	
Power to appeal a decision of the Commission given under Part 5, Division 7A.	Section 102G <i>Work Health and Safety Act 2011</i>	
Power, as a person conducting a business or undertaking, to appoint a work health and safety officer for that business or undertaking.	Section 103A <i>Work Health and Safety Act 2011</i>	
Power, as a person conducting a business or undertaking, to instruct a work health and safety officer to take reasonable action to eliminate or minimise risks to health and safety.	Section 103F <i>Work Health and Safety Act 2011</i>	
Power to apply to the Magistrates Court for an order under section 112 about engaging in or inducing discriminatory or coercive conduct.	Section 112 <i>Work Health and Safety Act 2011</i>	
Power to apply to the Commission to revoke a WHS entry permit.	Section 138 <i>Work Health and Safety Act 2011</i>	
Power to appeal a decision of the commission.	Section 140 <i>Work Health and Safety Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Work Health and Safety Act 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.	Section 141 <i>Work Health and Safety Act 2011</i>	
<del>Power, as receiver of a direction from the inspector under section 131A(2) to comply with it.</del>	<del>Section 141A <i>Work Health and Safety Act 2011</i></del>	
Power to apply to the Commission for it to deal with the dispute.	Section 142(4) <i>Work Health and Safety Act 2011</i>	
<del>Power to appeal a decision of the Commission</del>	<del>Section 142(A) <i>Work Health and Safety Act 2011</i></del>	
Power to apply to the regulator for the return of a seized thing.	Section 180 <i>Work Health and Safety Act 2011</i>	
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 <i>Work Health and Safety Act 2011</i>	
Power to claim compensation from the State.	Section 184 <i>Work Health and Safety Act 2011</i>	
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 <i>Work Health and Safety Act 2011</i>	
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 <i>Work Health and Safety Act 2011</i>	
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 <i>Work Health and Safety Act 2011</i>	
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 <i>Work Health and Safety Act 2011</i>	
Power to appeal a decision of the commission.	Section 229F <i>Work Health and Safety Act 2011</i>	

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## ATTACHMENT TWO

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Work Health and Safety Act 2011**

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to, in the circumstances provided in subsections (1) or (1A), make a written request to the WHS prosecutor that a prosecution be brought.	Sections 231(1) and (1A) <i>Work Health and Safety Act 2011</i>	
Power to, in the circumstances provided in subsection (3), request the WHS prosecutor to refer the matter to the director of public prosecutions.	Section 231(3) <i>Work Health and Safety Act 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Work Health and Safety Regulation 2011

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	02/10/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an approved RTO, to grant a person a certificate of authority.	Section 31B <i>Work Health and Safety Regulation 2011</i>	
Power, as a person conducting a business or undertaking at a workplace, to prepare, maintain and implement an emergency plan.	Section 43 <i>Work Health and Safety Regulation 2011</i>	
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) <i>Work Health and Safety Regulation 2011</i>	
Power to apply to the regulator for a licence to carry out demolition work.	Section 144B <i>Work Health and Safety Regulation 2011</i>	
Power to make a submission to the regulator in relation to a proposed refusal	Section 144I <i>Work Health and Safety Regulation 2011</i>	
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 <i>Work Health and Safety Regulation 2011</i>	
Power, as a holder of a licence to carry out demolition work to apply to the regulator to amend the licence.	Section 144Q(1) <i>Work Health and Safety Regulation 2011</i>	
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) <i>Work Health and Safety Regulation 2011</i>	
Power to apply to the regulator for a replacement document.	Section 144U <i>Work Health and Safety Regulation 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Work Health and Safety Regulation 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a holder of a licence to carry out demolition work to voluntarily surrender the licence document to the regulator.	Section 144V <i>Work Health and Safety Regulation 2011</i>	
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 <i>Work Health and Safety Regulation 2011</i>	
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 <i>Work Health and Safety Regulation 2011</i>	
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 <i>Work Health and Safety Regulation 2011</i>	
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) <i>Work Health and Safety Regulation 2011</i>	
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 <i>Work Health and Safety Regulation 2011</i>	
Power to return the registration document for an item of plant stated in schedule 5, part 2 to the regulator.	Section 288D <i>Work Health and Safety Regulation 2011</i>	
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 <i>Work Health and Safety Regulation 2011</i>	
Power, as a person conducting a business or undertaking, to prepare and maintain a register of hazardous chemical used at a workplace	Section 346 <i>Work Health and Safety Regulation 2011</i>	
Power to apply in writing to the regulator for authorisation to use, handle or store a prohibited carcinogen or restricted carcinogen	Section 383 <i>Work Health and Safety Regulation 2011</i>	
Power to ensure that all asbestos or asbestos contaminated material at a workplace is identified by a competent person.	Section 422(1) <i>Work Health and Safety Regulation 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Work Health and Safety Regulation 2011

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Work Health and Safety Regulation 2011</i>	
Power to prepare, maintain and review an asbestos register for each workplace.	Sections 425(1) and 426 <i>Work Health and Safety Regulation 2011</i>	
Power to prepare, maintain and review an asbestos management plan for each workplace.	Sections 429 and 430 <i>Work Health and Safety Regulation 2011</i>	
Power, as an eligible person in relation to a reviewable decision set out in section 676 of the <i>Work Health and Safety Regulation</i> , to apply to the regulator for an internal review of a decision.	Section 678(1) <i>Work Health and Safety Regulation 2011</i>	
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) <i>Work Health and Safety Regulation 2011</i>	
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 <i>Work Health and Safety Regulation 2011</i>	
Power to apply for an exemption from compliance with any provision of the <i>Work Health and Safety Regulation</i> .	Section 684 <i>Work Health and Safety Regulation 2011</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Act 2003

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/01/2020
<b>Updated:</b>	66(2), 133, 133A, 226(1)
<b>New:</b>	109(5), 226(4), 226(5)
<b>Removed:</b>	109(4)
<b>Note:</b>	New Reprint. Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an employer, to insure and keep insured all Council's employees and Councillors.	Section 48 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to pay a premium notice issued by WorkCover.	Section 54(7) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to pay a reassessment premium notice issued by WorkCover.	Section 56(5) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty for contravening section 48.	Section 57(3) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to object to a default assessment issued by WorkCover.	Section 58(6) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to pay a default assessment notice issued by WorkCover.	Section 58(10) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to apply to WorkCover for a waiver or reduction of an additional premium.	Section 64(2) <i>Workers' Compensation and</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	<i>Rehabilitation Act 2003</i>	
Power, as an employer who is not a self-insurer, and who is or is required to have accident insurance, to pay the weekly payment of compensation payable to an injured worker during the excess period.	Section 66(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 66(6).	Section 66(7) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as a local government self-insurer, to cover councillors under the self-insurer's licence.	Section 68A(1) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power to apply to the Regulator to be licensed as a self-insurer, as described in Chapter 2, Part 4.	Sections 69 and 70 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	<i>Rehabilitation Act 2003</i>	
Power, as a self-insurer, to pay the annual levy to the Regulator.	Section 81 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as a self-insurer, to comply with the conditions imposed on the licence under the Regulation and by the Regulator.	Section 83 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as a self-insurer, to lodge security with the Regulator before the issue or renewal of a self-insurer licence.	Section 84 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as a self-insurer, to obtain a contract of reinsurance of liabilities and lodge the contract with the Regulator.	Section 86 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as a local government self-insurer, to keep the documents identified in sections 93 and 93A.	Sections 93 and 93A <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as a self-insurer, to comply with a notice to give documents issued by the Regulator under this section.	Section 94 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as a self-insurer, to respond to a written notice issued by the Regulator under this section.	Section 96 <i>Workers' Compensation and Rehabilitation Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as a self-insurer, to send a written notice to the Regulator seeking to cancel a self-insurer licence.	Section 97 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as a former self-insurer, to request the return of the balance of the section 84 security from the Regulator.	Section 103 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as a self-insurer, to pay compensation for an injury sustained by a worker.	Section 109(1) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
<del>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.</del>	<del>Section 109(4) <i>Workers' Compensation and Rehabilitation Act 2003</i></del>	
Power, as an employer, to pay a worker an amount, either in compensation or instead of compensation, in the circumstances provided for in subsection 109(5).	Section 109(5) <i>Workers' Compensation and Rehabilitation Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 109A.	Section 109A(4) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 and give the report to the insurer.	Section 133 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer other than a self-insurer, to give WorkCover the insurer 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 as a self-insurer or WorkCover under the Act for an injury sustained by the worker.	Section 133A <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to pay compensation to an injured worker for the day the worker stops work because of the injury.	Section 144 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to pay the amount of the first charge or the whole of the damages to the insurer.	Section 207B(4) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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(1) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to give the insurer the prescribed details of a person appointed as a Rehabilitation and Return to Work Coordinator and details of any change to the prescribed details.	Sections 226(4) and 226(5) <i>Workers' Compensation and Rehabilitation Act 2003</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to assist or provide an injured worker with rehabilitation.	Section 228(1) and 228(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to cooperate with an insurer to enable the insurer to meet its obligations under section 220.	Section 228(3) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
Power, as an employer, to give the insurer written evidence that it is not practicable to provide a worker with suitable duties.	Section 228(4) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power to comply with the requirement of an authorised person to give information or produce documents required under section 532C.	Section 532C <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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) <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Act 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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.	552B <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Act 2003</i>	

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Regulation 2003

<b>Document Reviewed:</b>	24/02/2020
<b>Reprint:</b>	01/07/2020
<b>Updated:</b>	
<b>New:</b>	
<b>Removed:</b>	
<b>Note:</b>	New Reprint. No Changes

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Power, as an employer other than a self-insurer, to submit to WorkCover a declaration of wages.	Section 8(2) <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
Power, as an employer other than a self-insurer, to enter a payment plan with WorkCover.	Section 10(2)(d) <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
Power, as a former employer, to give written notice to WorkCover.	Section 13(3) <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
Power, as a self-insurer, to appoint an actuary to calculate an amount of outstanding liability for section 87 of the Act.	Section 26 <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
Power, as an employer, to advise the Regulator that WorkCover and the employer do not agree on the outstanding liability amount.	Section 32 <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
Power, as a former self-insurer, to appoint an actuary to calculate an amount of liability for section 102 of the Act.	Section 46 <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	

As at April 2021

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## ATTACHMENT TWO

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Workers Compensation and Rehabilitation Regulation 2003

DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
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 <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
Power, as a former self-insurer, to agree with WorkCover on the amount of the calculation for section 102 of the Act.	Section 51 <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
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 <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
Power, as a self-insurer, to agree with the Regulator about the self-insurer's estimated claims liability.	Section 62 <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	
Power, as an employer of employees to appoint 1 rehabilitation and return to work coordinator for more than one workplace.	Section 115(3) <i>Workers' Compensation and Rehabilitation Regulation 2003</i>	

As at April 2021

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## ATTACHMENT 3

REGISTER OF DELEGATIONS  
COUNCIL TO CEO

## Local Laws

*Local Law No. 1 (Administration) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to approve an application form for approval of a prescribed activity.	Section 8(1)
Power to request, by written notice, that an applicant provide further reasonable information or clarification of information, documents or materials included in an application for approval of a prescribed activity.	Section 8(3)
Power to give an applicant for approval of a prescribed activity, written notice stating that the applicant's application has lapsed and that the applicant may make a new application.	Section 8(5)(b)
Power to extend the period for an applicant for approval of a prescribed activity to provide further information.	Section 8(6)
Power to grant approval for an applicant to undertake a prescribed activity in accordance with section 9(1).	Section 9(1)
Power to give by written notice, a decision on an application to undertake a prescribed activity.	Section 9(2)
Power to give an applicant an information notice if the application is refused or is granted subject to a non-standard condition.	Section 9(4)
Power to grant an approval for a prescribed activity on appropriate conditions.	Section 10(1)
Power to accept the certificate of a third party certifier as evidence of any application requirement.	Section 12(1)
Power to determine the term of an approval.	Section 13
Power to determine the further term of an approval.	Section 14(1)
Power to give notice that an approval is one of a class of approvals that the local government does not intend to renew or extend.	Section 14(2)
Power to approve the form of an application to renew or extend an approval.	Section 14(3)
Power to request, by written notice, that an applicant provide further reasonable information, clarification of information, documents or materials included in an application, when considering an application for renewal or extension of an approval for a prescribed activity.	Section 14(4)
Power to give, by written notice, a decision on an application for renewal or extension of approval for a prescribed activity.	Section 14(6)
Power to give an applicant for renewal or extension of approval for a prescribed activity an information notice if the application is refused or the approval contains non-standard conditions.	Section 14(8)
Power to amend existing conditions of an approval, without following the procedure in section 18, if an application for renewal or extension of approval for a prescribed activity has been granted.	Section 14(9)
Power to approve the form of an application for transfer of an approval.	Section 15(3)
Power to request, by written notice, that an applicant for transfer of an approval of a prescribed activity provide further reasonable information clarification of information, documents or materials included in an application.	Section 15(4)
Power to grant an application to transfer an approval.	Section 15(6)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws*****Local Law No. 1 (Administration) 2015***

<b>DESCRIPTION OF POWER DELEGATED</b>	<b>LOCAL LAW PROVISION</b>
Power to give, by written notice, a decision to grant or refuse an application to transfer an approval.	Section 15(7)
Power to amend existing conditions of an approval if an application for the transfer of the approval has been granted.	Section 15(8)
Power to amend the conditions of the approval under subsection (8) without following the procedure in section 18	Section 15 (9)
Power to give an information notice if an application for transfer of an approval is refused or granted but amended to include non- standard conditions.	Section 15(11)
Power to amend the conditions of the approval under subsection (8) without following the procedure in section 18	Section 15 (9)
Power to give an information notice if an application for transfer of an approval is refused or granted but amended to include non- standard conditions.	Section 15(11)
Power to consider and decide whether to grant or refuse an application to amend the conditions of an approval at the request of an approval holder.	Section 16(3)
Power to give an approval holder written notice of amended conditions granted and the day that they take effect, in accordance with section 16(3).	Section 16(4)
Power to give an approval holder an information notice where an application to amend the conditions of an approval is refused under section 16(3).	Section 16(5)
Power to amend the conditions of an approval without following the procedure in section 18	Section 16(6)
Power to give a show cause notice to an approval holder in accordance with section 18(2), if there is a ground under section 17 to amend, suspend or cancel an approval.	Section 18(2)
Power to:- (a) decide that a ground no longer exists to cancel, amend or suspend an approval after considering all submissions made to a show cause notice within the stated time; and (b) Give written notice to an approval holder of the decision that a ground no longer exists to cancel, amend or suspend the approval.	Section 18(3)
Power to:- (a) amend an approval if a ground for amendment still exists after consideration of the applicant's submissions; or (b) suspend an approval if a ground for suspension still exists after consideration of the applicant's submissions; or (c) Cancel an approval if a ground for cancellation still exists after consideration of the applicant's submissions.	Section 18(4)
Power to:- (d) amend an approval if a ground for amendment still exists after consideration of the applicant's submissions; or (e) suspend an approval if a ground for suspension still exists after consideration of the applicant's submissions; or	Section 18(4)

Any changes made to local laws did not introduce any new or amend any existing delegations

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## ATTACHMENT 3

REGISTER OF DELEGATIONS  
COUNCIL TO CEO

## Local Laws

*Local Law No. 1 (Administration) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
(f) Cancel an approval if a ground for cancellation still exists after consideration of the applicant's submissions.	
Power to give an approval holder an information notice if a decision is taken pursuant to section 18(4).	Section 18(5)
Power to immediately suspend an approval if the prescribed activity poses:- (a) an urgent and serious threat to public health or safety; or (b) an urgent and serious risk of environmental harm, property damage or loss of amenity.	Section 19(1)
Power to give notice to an approval holder of a decision under section 19(1).	Section 19(2)(a)
Power to cancel a suspension under section 19(1).	Section 19(2)(c)
Power to review an original decision after receiving a review application and make a decision to:- (a) confirm the original decision; or (b) amend the original decision; or (c) substitute another decision for the original decision.	Section 23(1)
Power to extend the time for making an application for review of a decision under a local law.	Section 22(3)
Power to give an applicant a review notice of a decision made in accordance with section 23(1).	Section 23(3)
Power to recover the cost of action taken under section 31 as a debt from the person responsible for the activity.	Section 31(5)
Power to, by public notice, offer a reward for information leading to the conviction of a person for:- (a) an offence involving damage to, or theft of, property of the local government or under the local government's control; or (b) an offence against a local law.	Section 36(1)
Power to waive or partially remit a fee, unless specific provision to the contrary is made in the local law or resolution fixing the fee.	Section 38(3)
Power to give an applicant a review notice of a decision made in accordance with section 23(1).	Section 23(3)
Power to recover the cost of action taken under section 31 as a debt from the person responsible for the activity.	Section 31(5)
Power to, by public notice, offer a reward for information leading to the conviction of a person for:- (c) an offence involving damage to, or theft of, property of the local government or under the local government's control; or (d) an offence against a local law.	Section 36(1)
Power to waive or partially remit a fee, unless specific provision to the contrary is made in the local law or resolution fixing the fee.	Section 38(3)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws*****Local Law No. 1 (Administration) 2015***

<b>DESCRIPTION OF POWER DELEGATED</b>	<b>LOCAL LAW PROVISION</b>
Power to dispose of an item seized or impounded for more than 1 month by sale through:- (i) public auction or tender, following an advertisement published at least 14 days before the sale; (ii) an agent of the local government; or (iii) an enterprise owned by the local government.	Section 40(6)(a)
Power to consider on reasonable grounds the removal of a vehicle from a road pursuant to subsection 1	Section 41(1)
Power to remove, impound or dispose of a vehicle where section 41 applies	Section 41(3)
Power to determine if a vehicle is a no commercial value vehicle	Section 41(4)(b)
Power to not follow the procedures specified in subsections (6) to (10) in respect of a vehicle where section 41(4) applies	Section 41(5)(a)
Power to deem that a vehicle is not a no commercial vehicle under section 41(4)	Section 41(6)(b)
Power to give a written notice pursuant to section 41(8), where the owner can be identified, of the removal or impounding of a vehicle within 14 days of the removal or impounding.	Section 41(7)(a)
Power to give a written notice pursuant to 41(8), where the owner cannot be identified, on the local government website, of the removal or impounding of a vehicle within 14 days of the removal or impounding.	Section 41(7)(b)
Power to dispose of a vehicle pursuant to 41(10)(b) where 41(9) applies.	Section 41(10)(b)
Power to deal with any goods, equipment or thing contained in, on or about a vehicle in the same manner as dealing with a vehicle under this section.	Section 41(13)

Any changes made to local laws did not introduce any new or amend any existing delegations

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## ATTACHMENT 3

REGISTER OF DELEGATIONS  
COUNCIL TO CEO

## Local Laws

*Local Law No. 2 (Animal Management) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to take reasonable steps to notify the public that animals are prohibited in a particular public place under section 9(1).	Section 9(4)
Power to keep a record available for public inspection of prohibitions specified under section 9(1)	Section 9(6)
Power to notify the public of the designation of an area as a dog off-leash area under section 10(1).	Section 10(3)
Power to keep a record for public inspection identifying each designated dog off leash area under section 10(1)	Section 10(5)
Power to recognise a body for the purposes of section 11(2)(d).	Section 11(2)(d)
Power to give the responsible person for an animal an information notice about a declaration made pursuant to section 17(2).	Section 17(3)
Power to:- (a) offer an animal, to which section 29 applies, for sale by public auction or tender; or (b) sell the animal by private agreement, dispose of the animal without destroying it, or destroy the animal if it is mentioned in section 25(2)(b) and is of a species, breed or class specified by subordinate local law.	Section 30(1)
Power to determine that the sale or disposal of an animal will not result in the animal being kept in contravention of the requirements of the local law.	Section 30(2)
Power to exhibit a notice at the local government's public office for at least 2 days before the sale, at a public auction, of an animal pursuant to section 30(1).	Section 30(3)
Power to dispose of an animal as may be considered appropriate, if the animal is not sold in accordance with section 30(3).	Section 30(6)
Power to keep a register of impounded animals for public inspection under section 31(4).	Section 31(2)
Power to allow the owner of an animal impounded under section 24 to inspect it at any reasonable time, from time to time.	Section 32(2)
Power to recover the cost of action taken under section 33(1) as a debt from the person responsible for the action.	Section 33(2)
Power to ask the owner of a cat for other information or documents in a way mentioned in section 43.	Section 49(2)
Power to grant an exemption to the requirement to attach the registration device to collar worn by cat.	Section 49A(2)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Local Law No. 3 (Community and Environmental Management) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to consult with the chief executive about the desirability of a declaration under section 6(1).	Section 6(2)
Power to publish notice of a declaration under section 6(1) in a newspaper circulating generally in Council's local government area.	Section 6(3)
Power to publish notice of a declaration under section 7(2) in a newspaper circulating generally in Council's local government area.	Section 7(3)
Power to seize and impound objects, materials or vegetation	Section 13(5)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws*****Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015***

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to provide notice to the public about motor vehicle access areas.	Section 6(6)
Power to place a notice of opening hours of a local government controlled area.	Section 7(3)
Power to place notice of closure of a local government controlled area under section 8.	Section 8(4)
Power to form the opinion that section 9(1) applies, and give a compliance notice to an owner of land, requiring the owner to:- (a) fence the land if the land is not currently fenced; or (b) Repair or replace the fence if the current fence on the land is in disrepair.	Section 9(2)
Power to give a compliance notice to an owner or occupier of land about a road or footpath crossing in accordance with section 11.	Section 11

Any changes made to local laws did not introduce any new or amend any existing delegations

7

**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Local Law No. 5 (Parking) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
The power to issue a parking permit.	Section 7(1)
The power to issue a commercial vehicle identification label.	Section 8(1)

Any changes made to local laws did not introduce any new or amend any existing delegations

8

**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Local Law No. 7 (Bathing Reserves) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to erect and maintain reserve signs to regulate the use of a bathing reserve under the local law.	Section 5(1)
Power to consult with interested life-saving clubs and assign to a life-saving club the responsibility for patrolling a bathing reserve or a particular part of a bathing reserve.	Section 19(1)
Power to assign responsibility for patrolling a bathing reserve to a life-saving club on conditions the local government considers appropriate.	Section 19(2)(a)
Power to give written approval to the enclosure of a part of a bathing reserve for the exclusive use of members of a life-saving patrol.	Section 20
Power to appoint persons as authorised persons for the local law.	Section 26(2)
Power to issue an authorised person an identity card.	Section 29(1)

Any changes made to local laws did not introduce any new or amend any existing delegations

9

**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws**

*Subordinate Local Law No. 1.1 (Alteration or Improvement to  
Local Government Controlled Areas and Roads) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to specify requirements for an applicant to take out and maintain public liability insurance	Schedule 1 s6(1)(d)(ii)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws**

*Subordinate Local Law No. 1.2 (Commercial Use of  
Local Government Controlled Areas and Roads) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVIS
Power to specify requirements for removing a roadside vending vehicle from a road after the close of business	Schedule 1 s6(1)(p)
Power to authorise display of a sign or device within the area identified for a footpath dining approval	Schedule 1 s6(3)(h)
Power to approve the aesthetics of the furniture used for footpath dining	Schedule 1 s6(3)(j)(i)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Subordinate Local Law No. 1.5 (Keeping of Animals) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to specify requirements for waste containers used in the operation of a cattery or kennel	Schedule 1 s6(3)(j)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*

Amendment to Local Law as at 21 August 2020

Amended: Schedule 3

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to specify the requirements for facilities for the disposal of waste	Schedule 1 s6(13)(b)
Power to limit the number of person who may occupy a site	Schedule 1 s6(14)
Power to give written notice to the approval holder that the resident manager is not a suitable person to be resident manager and replace the resident manager with a suitable person	Schedule 1 s6(16)
Power to provide written agreement to the approval holder to change the sites at the accommodation park by— (a) adding to the existing sites; or (b) changing the position or boundaries of a site.	Schedule 1 s6(20)
Power to specify requirements for signage used in the operation of the accommodation park	Schedule 1 s6(28)
Power to specify the numbering and description of sites within an accommodation park	Schedule 1 s6(29)
Power to prescribe rules which govern the use of the accommodation park	Schedule 1 s6(30)
Power to specify the location and manner in which rules which govern the use of the accommodation park must be displayed	Schedule 1 s6(31)
Power to require the approval holder to direct a person to leave the accommodation park	Schedule 1 s6(36)
Power to require the approval holder to remove a caravan or complimentary accommodation from the accommodation park	Schedule 1 s6(37)

Any changes made to local laws did not introduce any new or amend any existing delegations

13

**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to regulate various operations of a cemetery as specified in this section	Schedule 1 s6(3)

Any changes made to local laws did not introduce any new or amend any existing delegations

14

**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2015*

Amendment to Local Law as at 23 October 2020

Amended: Schedule 1

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to specify requirements for waste containers used in the operation of the swimming pool	Schedule 1 s6(9)(b)

Any changes made to local laws did not introduce any new or amend any existing delegations

15

**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to set standards and requirements for toilets and sanitary conveniences	Schedule 1 s4(4)
Power to specify requirements for an applicant to take out and maintain public liability insurance	Schedule 1 s6(f)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws**

*Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to set standards for the preparation of a site	Schedule 1 s6(4)(b) and (6)(b)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws**

*Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on  
Local Government Controlled Areas and Roads) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to set standards and requirements for toilets and sanitary conveniences	Schedule 1 s4(8)(b)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Subordinate Local Law No. 1.15**(Carrying out Works on a Road or Interfering with a Road or its Operation) 2015*

<b>DESCRIPTION OF POWER DELEGATED</b>	<b>LOCAL LAW PROVISION</b>
Power to specify requirements for an applicant to take out and maintain public liability insurance	Schedule 1 s6(1)(d)(ii)
Power to require the installation of scaffolding in a specified manner	Schedule 1 s6(2)(i)
Power to approve a traffic control management plan	Schedule 1 s6(2)(aa)
Power to approve the removal, modification or disturbance of trees, shrubs, root systems and other vegetation when undertaking the prescribed activity	Schedule 1 s6(2)(ah)
Power to approve the use of a designated parking space when undertaking the prescribed activity	Schedule 1 s6(2)(aj)
Power to set erosion and sediment control requirements for which the prescribed activity must comply	Schedule 1 s6(2)(ak)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws**

*Subordinate Local Law No. 1.16 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to specify requirements for an applicant to take out and maintain public liability insurance	Schedule 1 s6(1)(d)(i)
Power to specify access and egress requirements for the local government controlled area	Schedule 1 s6(1)(i)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws**

*Subordinate Local Law No. 1.17 (Operation of a Ferry, Charter or  
Hire Service from a Local Government Controlled Boat Ramp or Landing) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to provide a trolley or other device for the conveyance of goods along a boat ramp or landing	Schedule 1 s6(q)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws**

*Subordinate Local Law No. 1.19 (Placement of Shipping Containers,  
Railway Carriages or Other Objects on Land) 2018*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to specify a prescribed fee for the installation of official traffic signs, or other signs and markings and determine their extent of appropriateness to identify the boundaries of the works zone identified in the permit	Schedule 1 s6(3)(b)
Power to fix a different term of approval if it is desirable to do so— (a) to provide common expiry dates for approvals; or (b) for some other reason	Schedule 1 s7(2)
Power to fix a different term of approval if it is desirable to do so— (a) to provide common expiry dates for approvals; or (b) for some other reason	Schedule 1 s8(3)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Subordinate Local Law No. 2 (Animal Management) 2018*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to consider an animal noise to be a nuisance or disturbance	Schedule 2 s2
Power to approve a code of practice for the keeping of livestock	Schedule 3 Item 5 column 2 (d)
Power to approve a code of practice for the keeping of birds of a relevant species to which item 6 applies	Schedule 3 Item 6 column 2 (e)
Power to approve a code of practice for the keeping of pigeons	Schedule 3 Item 7 column 2 (k)
Power to approve a code of practice for the keeping of bees	Schedule 3 Item 8 column 2 (b)(ii)
Power to approve a code of practice for the keeping of birds of a relevant species to which item 9 applies	Schedule 3 Item 9 column 2 (e)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3****REGISTER OF DELEGATIONS  
COUNCIL TO CEO****Local Laws***Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*

DESCRIPTION OF POWER DELEGATED	LOCAL LAW PROVISION
Power to approve and erect a notice for the maximum weight of a vehicle being taken or driven onto a boat ramp or landing	Schedule 2 s6 column 3 (e)(ii)
Power to declare opening hours for local government controlled areas	Section 8(1)

Any changes made to local laws did not introduce any new or amend any existing delegations

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**ATTACHMENT 3**

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**

**Local Laws**

*Subordinate Local Law No. 5 (Parking) 2015*

In force as at Friday 22 January 2021

No delegations

Any changes made to local laws did not introduce any new or amend any existing delegations

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**14 REPORTS FROM COMMUNITY & CUSTOMER SERVICES****14.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 AND 3 DEVELOPMENT APPLICATIONS****Objective Reference:** A5409419**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** David Jeanes, Group Manager City Planning and Assessment**Report Author:** Jill Driscoll, Group Support Coordinator**Attachments:** 1. Decisions made under delegated authority 11.04.2021 to 08.05.2021 [↓](#)**PURPOSE**

To note decisions made under delegated authority for development applications (Attachment 1). This information is provided for public interest.

**BACKGROUND**

At the General Meeting of 21 June 2017, Council resolved that development assessments be classified into the following four categories:

Category 1 – minor code and referral agency assessments

Category 2 – moderately complex code and impact assessments

Category 3 – complex code and impact assessments

Category 4 – major assessments (not included in this report)

The applications details in this report have been assessed under:

**Category 1** – Minor code assessable applications, concurrence agency referral, minor operational works and minor compliance works, and minor change requests and extension to currency period where the original application was Category 1.

Delegation Level: Chief Executive Officer, General Manager, Group Managers, Service Manager, Team Leaders and Principal Planners as identified in the officer's instrument of delegation.

**Category 2** – In addition to Category 1, moderately complex code assessable applications, including operational works and compliance works and impact assessable applications without objecting submissions; other change requests and variation request where the original application was Category 1,2,3 or 4\*.

*\*Provided the requests do not affect the reason(s) for the call in by the Councillor (or that there is agreement from the Councillor that it can be dealt with under delegation).*

Delegation Level: Chief Executive Officer, General Manager, Group Managers and Service Managers as identified in the officer's instrument of delegation.

**Category 3** – In addition to Category 1 and 2, applications for code or impact assessment with a higher level of complexity. They may have minor level aspects outside a stated policy position that are subject to discretionary provision of the planning scheme. Impact applications may involve submissions objecting to the proposal readily addressable by reasonable and relevant conditions. Assessing superseded planning scheme requests and approving a plan of subdivision.



Delegation Level: Chief Executive Officer, General Manager and Group Managers as identified in the officer's instrument of delegation.

**Human Rights**

There are no known human rights implication associated with this report.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/150**

**Moved by:** Cr Paul Bishop

**Seconded by:** Cr Wendy Boglary

**That Council resolves to note this report.**

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

Attachment 1 Decisions Made Under Delegated Authority 11.04.2021 to 08.05.2021

**Decisions Made Under Delegated Authority 11.04.2021 to 17.04.2021****CATEGORY1**

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Approved	Division
CAR21/0136	Design and Siting for Patio	Asset Outdoor Additions Pty Ltd	11 Bainbridge Street Ormiston QLD 4160	Referral Agency Response - Planning	12/04/2021	N/A	Approved	1
CAR21/0142	Design and Siting for Carport	A1 Certifier Pty Ltd	23 Mindarie Crescent Wellington Point QLD 4160	Referral Agency Response - Planning	12/04/2021	N/A	Approved	1
CAR21/0157	Design and Siting for Dwelling (Proposed Lot 2)	The Certifier Pty Ltd	KALEOTH LODGE 2/19 Dundas Street Ormiston QLD 4160	Referral Agency Response - Planning	15/04/2021	N/A	Approved	1
RAL21/0008	Reconfiguring a lot - Standard Format - 1 into 2 lots	Redrock Holdings 2009 Pty Ltd As Trustee	122-124 Bainbridge Street Ormiston QLD 4160	Code Assessment	12/04/2021	N/A	Development Permit	1
CAR21/0134	Design and Siting for a Dwelling House	Wade Lindsay VAISNYS	31 North Street Cleveland QLD 4163	Referral Agency Response - Planning	14/04/2021	N/A	Approved	2
DBW20/0042	Private Swimming Pool, Retaining Wall and Patio	Paul M VERMEULEN, Kathryn M VERMEULEN	39 Anchorage Drive Cleveland QLD 4163	Code Assessment	13/04/2021	N/A	Development Permit	2
MCU19/0066.03	Change to Development Approval MCU19/0066 Combined MCU and ROL - Dual Occupancy - Reconfiguring a Lot (2 into 3 lots and access easement)	Ptlook Holdings Pty Ltd As Trustee	4 Galeen Street Point Lookout QLD 4183	Minor Change to Approval	12/04/2021	N/A	Approved	2

## Decisions Made Under Delegated Authority 11.04.2021 to 17.04.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Approved	Division
RAL21/0009	Reconfiguring a lot for Standard Format 1 into 2 lots	James Patrick GRIERSON	2 Ray Street Cleveland QLD 4163	Code Assessment	12/04/2021	N/A	Development Permit	2
CAR21/0148	Design and Siting for Carport	Adept Building Approvals	9 Tenanne Street Russell Island QLD 4184	Referral Agency Response - Planning	14/04/2021	N/A	Approved	5
CAR21/0158	Amenity and Aesthetics for dwelling less than 60m2 on Southern Moreton Bay Islands	Atelier Investments Pty Ltd	62 Lea-weena Avenue Russell Island QLD 4184	Referral Agency Response - Planning	15/04/2021	N/A	Approved	5
CAR21/0161	Design and Siting for Dwelling House	Building Certification Consultants Pty Ltd	18 Sapphire Street Russell Island QLD 4184	Referral Agency Response - Planning	14/04/2021	N/A	Approved	5
CAR21/0110	Design and Siting for Shed with build over/near infrastructure	The Certifier Pty Ltd	249 Hardwood Drive Mount Cotton QLD 4165	Referral Agency Response - Planning	14/04/2021	N/A	Approved	6
CAR21/0145	Design and Siting for Patio	Fastrack Building Certification	96 Goddard Road Thornlands QLD 4164	Referral Agency Response - Planning	12/04/2021	N/A	Approved	7
CAR21/0144	Build Over or Near Relevant Infrastructure - Ancillary structure	A1 Certifier Pty Ltd	2 Thrush Court Wellington Point QLD 4160	Referral Agency Response - Engineering	16/04/2021	N/A	Approved	8
CAR21/0138	Design and Siting for Dwelling House	Building Code Approval Group Pty Ltd	320 Mount Cotton Road Capalaba QLD 4157	Referral Agency Response - Planning	14/04/2021	N/A	Approved	9
CAR21/0140	Design and Siting for Carport	Approvals Made Easy	49 Kennedy Drive Capalaba QLD 4157	Referral Agency Response - Planning	12/04/2021	N/A	Approved	9

## Decisions Made Under Delegated Authority 11.04.2021 to 17.04.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR21/0169	Design and Siting for Dwelling House	Building Code Approval Group Pty Ltd	47A Ney Road Capalaba QLD 4157	Referral Agency Response - Planning	16/04/2021	N/A	Approved	9
CAR21/0170	Design and Siting for Dwelling House	Building Code Approval Group Pty Ltd	47 Ney Road Capalaba QLD 4157	Referral Agency Response - Planning	16/04/2021	N/A	Approved	9
CAR21/0151	Design and Siting for carport	Antony STARK Nu-Design Constructions Pty Ltd	63 Murray Street Birkdale QLD 4159	Referral Agency Response - Planning	16/04/2021	N/A	Approved	10
CAR21/0154	Design and Siting for dwelling	Henley Properties (Qld) Pty Ltd	26 Alma Street Thorneside QLD 4158	Referral Agency Response - Planning	13/04/2021	N/A	Approved	10
CAR21/0162	Design and Siting for Shed	Adept Building Approvals	1 Marcos Street Birkdale QLD 4159	Referral Agency Response - Planning	15/04/2021	N/A	Approved	10

**Decisions Made Under Delegated Authority 11.04.2021 to 17.04.2021****CATEGORY2**

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU21/0039	Extension to Currency Period for MCU013861 Refreshment Establishment	Town Planning Alliance, Lausanne Enterprises Pty Ltd As Trustee, Radajon Pty Ltd As Trustee	41-43 Shore Street West Cleveland QLD 4163	Minor Change to Approval	15/04/2021	N/A	Approved	2

## Decisions Made Under Delegated Authority 18.04.2021 to 24.04.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
OPW21/0031	Operational works - Driveway Crossover	Professional Certification Group Pty Ltd	224 Wellington Street Ormiston QLD 4160	Code Assessment	23/04/2021	N/A	Development Permit	1
RAL20/0089	Standard Format - 1 into 2	Ian Davis Surveys Pty Ltd	53 Long Street Cleveland QLD 4163	Code Assessment	22/04/2021	N/A	Development Permit	2
CAR21/0167	Design and Siting for additions	A1 Certifier Pty Ltd	14 Finuge Court Victoria Point QLD 4165	Referral Agency Response - Planning	21/04/2021	N/A	Approved	4
CAR21/0168	Design and Siting for Shed	Shaun John TONGES	20 Cupania Street Victoria Point QLD 4165	Referral Agency Response - Planning	21/04/2021	N/A	Approved	4
CAR21/0148	Design and Siting for Carport	Adept Building Approvals	9 Tenanne Street Russell Island QLD 4184	Referral Agency Response - Planning	22/04/2021	N/A	Approved	5
CAR21/0173	Design and Siting for Dwelling House	Bold Properties	25 Wilson Esplanade Redland Bay QLD 4165	Referral Agency Response - Planning	22/04/2021	N/A	Approved	5
MCU20/0146	Material change of Use for Multiple dwelling - 3 Units	Alan George HOPE	207-211 Esplanade Redland Bay QLD 4165	Code Assessment	20/04/2021	N/A	Development Permit	5
CAR21/0076	Design and Siting - Dwelling with build over/near infrastructure	Catapult Homes C/- Suncoast Building Approvals	33A Marine Street Redland Bay QLD 4165	Referral Agency Response - Planning	21/04/2021	N/A	Approved	5
CAR21/0149	Design and Siting for carport	D & C Patios C/- Fluid Building Approvals	73 Emperor Drive Redland Bay QLD 4165	Referral Agency Response - Planning	19/04/2021	N/A	Approved	6

## Decisions Made Under Delegated Authority 18.04.2021 to 24.04.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR21/0127	Design and Siting for Carport with build over/near infrastructure	Cyber Drafting & Design (Brisbane)	191 Waterloo Street Cleveland QLD 4163	Referral Agency Response - Planning	20/04/2021	N/A	Approved	7
CAR21/0188	Design and Siting for Domestic outbuilding	A1 Certifier Pty Ltd	569 Redland Bay Road Capalaba QLD 4157	Referral Agency Response - Planning	23/04/2021	N/A	Approved	7
CAR21/0164	Design and Siting for carport	The Certifier Pty Ltd	29 Dean Road Alexandra Hills QLD 4161	Referral Agency Response - Planning	21/04/2021	N/A	Approved	8
CAR21/0176	Build Over or Near Relevant Infrastructure - dwelling	Privium Homes	19A Plumer Street Wellington Point QLD 4160	Referral Agency Response - Engineering	22/04/2021	N/A	Approved	8
CAR21/0156	Design and Siting for shed	Robin MENTZ	14 Melaleuca Drive Capalaba QLD 4157	Referral Agency Response - Planning	20/04/2021	N/A	Approved	9
CAR21/0080	Design and Siting - Patio	Pronto Building Approvals	36 Makaha Drive Birkdale QLD 4159	Referral Agency Response - Planning	22/04/2021	N/A	Approved	10
CAR21/0166	Design and Siting for Dwelling House	Bartley Burns Certifiers & Planners	19 Waterhousia Crescent Birkdale QLD 4159	Referral Agency Response - Planning	21/04/2021	N/A	Approved	10
CAR21/0171	Design and Siting for deck	The Certifier Pty Ltd	4 Brolga Street Thomeside QLD 4158	Referral Agency Response - Planning	22/04/2021	N/A	Approved	10

## Decisions Made Under Delegated Authority 18.04.2021 to 24.04.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR21/0172	Build Over or Near Relevant Infrastructure - Dwelling	Bartley Burns Certifiers & Planners	26 Waterhousia Crescent Birkdale QLD 4159	Referral Agency Response - Engineering	23/04/2021	N/A	Approved	10
CAR21/0175	Design and Siting for Patio	Strickland Certifications Pty Ltd	10 Parkridge Place Birkdale QLD 4159	Referral Agency Response - Planning	22/04/2021	N/A	Approved	10
OPW21/0020	Operational Works - Domestic Driveway Crossover	Leo Ian VERMULM	54 Murray Street Birkdale QLD 4159	Code Assessment	23/04/2021	N/A	Development Permit	10
RAL21/0014	Change to Development Approval - ROL005619 Standard format - 4 lots	Ms Julie A BATTEN, Mr Russell DAW, Mr Samuel HORNICK, Ms Susan HORNICK	150-156 Mooroondu Road Thorneside QLD 4158	Minor Change to Approval	22/04/2021	N/A	Approved	10



## Decisions Made Under Delegated Authority 18.04.2021 to 24.04.2021

## CATEGORY2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
OPW20/0104	Operational Works for RAL - 2 into 3 Lots	Ptlook Holdings Pty Ltd As Trustee	12 Gindarra Street Point Lookout QLD 4183	Code Assessment	21/04/2021	N/A	Development Permit	2
OPW21/0016	Prescribed Tidal Works - Pontoon	Aqua Pontoons Ltd Ltd	9 Carling Court Cleveland QLD 4163	Code Assessment	21/04/2021	N/A	Development Permit	2
OPW21/0021	Operational Works for RAL - 1 into 2	Darren William KURKOWSKI	3 Coburg Street East Cleveland QLD 4163	Code Assessment	21/04/2021	N/A	Development Permit	2
MCU21/0019	Material change of use - Residential care facility, Office, Shop and Food and Drink Outlet	Knowles Group	1-9 George Thorn Drive Thornlands QLD 4164	Code Assessment	20/04/2021	N/A	Development Permit	3
OPW20/0129	Operational Works for RAL - 1 into 52 Lots & a retention lot	Ashley Charles DALEY Genevieve Mary DALEY	124-134 Thornlands Road Thornlands QLD 4164	Code Assessment	21/04/2021	N/A	Development Permit	3
RAL21/0018	Change to Development Approval - ROL005732 Standard format: 1 into 7 lots	East Coast Surveys Pty Ltd	262-276 Boundary Road Thornlands QLD 4164	Minor Change to Approval	22/04/2021	N/A	Approved	3
OPW20/0127	Operational Works for RAL - Stage 1 - Bulk Earthworks	Empower Engineers & Project Managers	21-29 Clay Gully Road Victoria Point QLD 4165	Code Assessment	21/04/2021	N/A	Development Permit	4
OPW21/0005	Operational Works for RAL - 1 into 2 Lots	CWD Group	8 Sherlock Street Victoria Point QLD 4165	Code Assessment	21/04/2021	N/A	Development Permit	4
MCU19/0040.02	Change to development approval for MCU19/0040 Low impact industry (Tyre Fitting Centre & Ancillary Uses)	Leda Developments Pty Ltd	Victoria Point Shopping Centre 2-34 Bunker Road Victoria Point QLD 4165	Minor Change to Approval	22/04/2021	N/A	Approved	4

**Decisions Made Under Delegated Authority 18.04.2021 to 24.04.2021****CATEGORY2**

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU20/0129	Other Change to development approval - MC010959 - General Industry Metal Recovery Yard	Mr Malcolm ZORDAN	12-16 Jones Road Capalaba QLD 4157	Other Change of Approval Impact	22/04/2021	N/A	Development Permit	8
CWA21/0003	Conditioned Works Assessment Civil Works - Shopping Centre Extensions	JLW 1929 Ltd As Trustee	Maridale Park Shops 76-84 Ney Road Capalaba QLD 4157	Conditioned Works	22/04/2021	N/A	Development Permit	9
OPW21/0019	Operational Works for RAL - 1 into 2 Lots	Joel Anthony RICHARDS	18 Hull Street Thorneside QLD 4158	Code Assessment	23/04/2021	N/A	Development Permit	10

**Decisions Made Under Delegated Authority 18.04.2021 to 24.04.2021****CATEGORY3**

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
RAL20/0063	Reconfiguring a lot - Standard Format 1 into 10 lots	Vjekoslav PULJIC	159-169 Delancey Street Ormiston QLD 4160	Impact Assessment	21/04/2021	N/A	Development Permit	1

## Decisions Made Under Delegated Authority 25.04.2021 to 01.05.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR21/0186	Design and Siting for Domestic Additions	A1 Certifier Pty Ltd	12 Cooina Street Wellington Point QLD 4160	Referral Agency Response - Planning	27/04/2021	N/A	Approved	1
RAL21/0023	Reconfiguring a lot for Standard Format for 1 into 2 lots	Temptation Homes Pty Ltd	4 Court Street Ormiston QLD 4160	Code Assessment	28/04/2021	N/A	Development Permit	1
CAR20/0368	Design and Siting - Dwelling House	Sean Henry BALDWIN	35 Compass Court Cleveland QLD 4163	Referral Agency Response - Planning	30/04/2021	N/A	Approved	2
CAR21/0179	Design and Siting for a retaining wall and fence with build over/near infrastructure	K P Building Approvals	194 Coburg Street West Cleveland QLD 4163	Referral Agency Response - Planning	28/04/2021	N/A	Approved	2
RAL21/0013	Reconfiguring a lot - Standard Format - 1 into 2 lots	Ian Davis Surveys Pty Ltd	89 Princess Street Cleveland QLD 4163	Code Assessment	27/04/2021	N/A	Development Permit	2
RAL21/0016	Reconfiguring a lot - Standard Format - 2 into 3 lot subdivision with access easement	Mark N ASHWORTH Nerida A ASHWORTH	69 Smith Street Cleveland QLD 4163	Code Assessment	30/04/2021	N/A	Development Permit	2
CAR21/0133	Design and Siting for a carport with build over/near infrastructure	The Certifier Pty Ltd	3 Windsong Circuit Cleveland QLD 4163	Referral Agency Response - Planning	28/04/2021	N/A	Approved	3
CAR21/0165	Design and Siting for Dwelling house	Bay Island Designs	36 Brighton Road Macleay Island QLD 4184	Referral Agency Response - Planning	30/04/2021	N/A	Approved	5

## Decisions Made Under Delegated Authority 25.04.2021 to 01.05.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR21/0183	Design and Siting for shed	K P Building Approvals Pty Ltd	186-188 High Central Road Macleay Island QLD 4184	Referral Agency Response - Planning	30/04/2021	N/A	Approved	5
CAR21/0189	Design and Siting for Dwelling house	Platinum Building Approvals	53 Judith Street Russell Island QLD 4184	Referral Agency Response - Planning	28/04/2021	N/A	Approved	5
CAR21/0190	Design and Siting for Dwelling house	Platinum Building Approvals	25 Rossi Avenue Russell Island QLD 4184	Referral Agency Response - Planning	28/04/2021	N/A	Approved	5
CAR21/0178	Design and Siting for Shed	Richard John JACKSON	136-138 Sanctuary Drive Mount Cotton QLD 4165	Referral Agency Response - Planning	29/04/2021	N/A	Approved	6
RAL21/0038	Extension to Currency Period for ROL006144 for Standard Format 1 into 2 Lots	David T MANTTAN	11 Goorawin Street Alexandra Hills QLD 4161	Minor Change to Approval	27/04/2021	N/A	Approved	7
RAL21/0012	Reconfiguring a lot - Standard Format - 1 into 3 lot subdivision with access easement	DMT 2021 Unit Trust	37 Barron Road Birkdale QLD 4159	Code Assessment	28/04/2021	N/A	Development Permit	8
RAL21/0022	Reconfiguring a lot - Standard Format - 1 into 2 lot subdivision	Quebec Pty Ltd	9-11 Sandpiper Street Wellington Point QLD 4160	Code Assessment	28/04/2021	N/A	Development Permit	8

**Decisions Made Under Delegated Authority 25.04.2021 to 01.05.2021****CATEGORY2**

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU21/0049	Extension to Currency period MCU012368 for Mixed use for Multiple Dwellings x 87 Commercial Offices & Shops	Ponda Developments Pty Ltd	219-221 Bloomfield Street Cleveland QLD 4163	Minor Change to Approval	30/04/2021	N/A	Approved	2
OPW21/0029	Driveway crossover - Widen existing driveway	Kristy-Anne BRAHAM Mark Bradley BRAHAM	Redland On The Bay 6 Pelorus Street Redland Bay QLD 4165	Code Assessment	29/04/2021	N/A	Development Permit	5

## Decisions Made Under Delegated Authority 02.05.2021 to 08.05.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR21/0082	Design and Siting for Carport	Excellfit	11 Dundas Street Ormiston QLD 4160	Referral Agency Response - Planning	05/05/2021	N/A	Approved	1
CAR21/0125	Design and Siting for Dwelling House with build over/near infrastructure	The Certifier Pty Ltd	6-10 Sleath Street Ormiston QLD 4160	Referral Agency Response - Planning	07/05/2021	N/A	Approved	1
CAR21/0191	Design and Siting and BOS for Domestic additions	Bartley Burns Certifiers & Planners	28 Thistle Street Ormiston QLD 4160	Referral Agency Response - Planning	06/05/2021	N/A	Approved	1
CAR21/0197	Design and Siting for carport and additions	A1 Certifier Pty Ltd	18-20 McCartney Street Ormiston QLD 4160	Referral Agency Response - Planning	06/05/2021	N/A	Approved	1
CAR21/0199	Design and Siting for Dwelling	Rezicad Design And Drafting	322 Main Road Wellington Point QLD 4160	Referral Agency Response - Planning	05/05/2021	N/A	Approved	1
CAR21/0215	Design and Siting for carport	Lateral Certification Group	23 Goodall Street Wellington Point QLD 4160	Referral Agency Response - Planning	07/05/2021	N/A	Approved	1
RAL21/0023	Reconfiguring a lot for Standard Format for 1 into 2 lots	Temptation Homes Pty Ltd	4 Court Street Ormiston QLD 4160	Code Assessment	07/05/2021	N/A	Development Permit	1
CAR21/0198	Build Over or Near Relevant Infrastructure	Porter Consulting	17-19 Passage Street Cleveland QLD 4163	Referral Agency Response - Engineering	05/05/2021	N/A	Approved	2

## Decisions Made Under Delegated Authority 02.05.2021 to 08.05.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
DBW20/0035	Domestic Additions - extensions to dwelling house	Andrew J NOBLE	6 Raby Bay Boulevard Cleveland QLD 4163	Code Assessment	07/05/2021	N/A	Development Permit	2
DBW21/0008	Building work for Domestic Addition	Strickland Certifications Pty Ltd	13 Beaufort Court Cleveland QLD 4163	Code Assessment	06/05/2021	N/A	Development Permit	2
RAL21/0033	Reconfiguring a lot - Standard Format for 1 into 2	Michelle L DICKINSON Heidi ROSS	13-19 Erobin Street Coochiemudlo Island QLD 4184	Code Assessment	07/05/2021	N/A	Development Permit	4
CAR21/0020	Design and Siting - Carport	Easy As Designs	144-146 James Street Redland Bay QLD 4165	Referral Agency Response - Planning	04/05/2021	N/A	Approved	5
CAR21/0184	Design and Siting and Amenity and Aesthetics for a removal dwelling less than 60m2 on Southern Moreton Bay Islands	Matt Bradley Designs Pty Ltd	23 Koro Street Russell Island QLD 4184	Referral Agency Response - Planning	04/05/2021	N/A	Approved	5
CAR21/0193	Design and Siting for Dwelling	Adept Building Approvals	27 Timothy Street Macleay Island QLD 4184	Referral Agency Response - Planning	06/05/2021	N/A	Approved	5
CAR21/0196	Design and siting and amenity and aesthetics for removal dwelling	Mackay & Sons House Removals	4 Lemontree Drive Macleay Island QLD 4184	Referral Agency Response - Planning	06/05/2021	N/A	Approved	5
MCU21/0031	Material change of use for Home based business	Ewen Douglas THOMSON Lesley Janelle HEIDENREICH	99 Hillview Road Mount Cotton QLD 4165	Code Assessment	04/05/2021	N/A	Development Permit	6
CAR21/0194	Design and Siting for Shed	Fluid Building Approvals Logan	83 Brindabella Circuit Thornlands QLD 4164	Referral Agency Response - Planning	06/05/2021	N/A	Approved	7



## Decisions Made Under Delegated Authority 02.05.2021 to 08.05.2021

## CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR21/0217	Design and Siting for garage	Bartley Burns Certifiers & Planners	11 Muir Court Alexandra Hills QLD 4161	Referral Agency Response - Planning	07/05/2021	N/A	Approved	7
CAR21/0203	Design and Siting for carport	Innovative Building Approvals	22 Jon Street Capalaba QLD 4157	Referral Agency Response - Planning	05/05/2021	N/A	Approved	9
CAR21/0216	Design and Siting for carport	Cyber Drafting & Design (Brisbane)	1 Jean Street Thorneside QLD 4158	Referral Agency Response - Planning	06/05/2021	N/A	Approved	10
DBW21/0015	Building Work for Dwelling house	The Certifier Pty Ltd	87 Thomas Street Birkdale QLD 4159	Code Assessment	07/05/2021	N/A	Development Permit	10

## Decisions Made Under Delegated Authority 02.05.2021 to 08.05.2021

## CATEGORY2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
RAL21/0020	Reconfiguring a lot - Standard Format - 1 into 6	Robert BROWN	11-15 Cleveland Terrace Ormiston QLD 4160	Code Assessment	07/05/2021	N/A	Development Permit	1
MCU21/0015	Material change of use for Multiple dwelling x32	AFT C/- Suzanne Hembrow	DEAMAR LODGE 1/228-230 Middle Street Cleveland QLD 4163	Code Assessment	05/05/2021	N/A	Development Permit	2
MCU21/0047	Extension to Currency period MCU012779 for Mixed Use - Stages 5A&B - Commercial Office, Apartment Building and Tourist Accommodation over two stages	Ponda Developments Pty Ltd	219-221 Bloomfield Street Cleveland QLD 4163	Minor Change to Approval	05/05/2021	N/A	Approved	2
OPW21/0027	Prescribed Tidal Works - Pontoon	Richard Stephen AKERO Simone Lesley GEORGET	34 Piermont Place Cleveland QLD 4163	Code Assessment	06/05/2021	N/A	Development Permit	2
RAL21/0037	Change to Development Approval for 'Eprapah Heights' for Combined MCU/Standard Format Reconfiguration - 9 lots (Stage 1)	Edgen Pty Ltd, William J ACKROYD	373-379 Boundary Road Thornlands QLD 4164	Minor Change to Approval	04/05/2021	N/A	Approved	3
CWA20/0021	Conditioned Works - Civil Works - Multiple Dwelling x 8	Tranquil Waters Retirement Village Pty Ltd As Trustee	28 Base Street Victoria Point QLD 4165	Conditioned Works	07/05/2021	N/A	Permit	5
MCU20/0088.06	Change to Development Approval - MCU20/0088 Other Change to existing approval MCU013394 - Multiple Dwellings x 28	Daveson Road Pty Ltd As Trustee	7 Daveson Road Capalaba QLD 4157	Minor Change to Approval	07/05/2021	N/A	Approved	8

## Decisions Made Under Delegated Authority 02.05.2021 to 08.05.2021

## CATEGORY2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
OPW21/0043	Operational Works - Domestic Driveway Crossover	Pravin Prabhas DEO	19 Excelsia Court Capalaba QLD 4157	Code Assessment	07/05/2021	N/A	Development Permit	9
OPW21/0026	Prescribed Tidal Works - Pontoon	Lyon BARRETT Suzanne Janet BARRETT	5 Keel Street Birkdale QLD 4159	Code Assessment	05/05/2021	N/A	Development Permit	10
RAL21/0021	Reconfiguring a lot Standard Format - 1 into 2	Site Town Planning	5 Boom Court Birkdale QLD 4159	Code Assessment	05/05/2021	N/A	Development Permit	10

**14.2 LIST OF DEVELOPMENT AND PLANNING RELATED COURT MATTERS AS AT 12 MAY 2021****Objective Reference:** A5392988**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** David Jeanes, Group Manager City Planning and Assessment**Report Author:** Michael Anderson, Senior Appeals Planner**Attachments:** Nil**PURPOSE**

To note the current development and planning related appeals and other related matters/proceedings.

**BACKGROUND**

Information on appeals and other related matters may be found as follows:

**1. Planning and Environment Court**

- a) Information on current appeals and applications with the Planning and Environment Court involving Redland City Council can be found at the District Court website using the "Search civil files (eCourts) Party Search" service:

<http://www.courts.qld.gov.au/services/search-for-a-court-file/search-civil-files-ecourts>

- b) Judgments of the Planning and Environment Court can be viewed via the Supreme Court of Queensland Library website under the Planning and Environment Court link:

<http://www.sclqld.org.au/qjudgment/>

**2. Court of Appeal**

Information on the process and how to search for a copy of Court of Appeal documents can be found at the Supreme Court (Court of Appeal) website:

<https://www.courts.qld.gov.au/courts/court-of-appeal/the-appeal-process>

**3. Department of State Development, Infrastructure, Local Government and Planning (DSDILGP)**

The DSDILGP provides a Database of Appeals that may be searched for past appeals and applications heard by the Planning and Environment Court:

<https://planning.dsdmip.qld.gov.au/planning/spa-system/dispute-resolution-under-spa/planning-and-environment-court/planning-and-environment-court-appeals-database>

The database contains:

- a) A consolidated list of all appeals and applications lodged in the Planning and Environment Courts across Queensland of which the Chief Executive has been notified.
- b) Information about the appeal or application, including the file number, name and year, the site address and local government.

**4. Department of Communities, Housing and Digital Economy (DCHDE)**

Information on the process and remit of development tribunals can be found at the DCHDE website:

<http://www.hpw.qld.gov.au/construction/BuildingPlumbing/DisputeResolution/Pages/default.aspx>

## PLANNING & ENVIRONMENT COURT APPEALS & APPLICATIONS

<b>1.</b>	<b>File Number:</b>	4312 of 2019
<b>Appellant:</b>		<b>New Land Tourism Pty Ltd</b>
<b>Respondent:</b>		<b>Redland City Council</b>
<b>First Co-respondents (By election):</b>		<b>Benjamin Alistair Mackay and Renee Michelle Mackay</b>
<b>Second Co-respondents (By election):</b>		<b>Debbie Tye-Anderson, Kerri Vidler, Lee Nicholson, Peter Anderson, Vanessa Anderson, Thelma Anderson.</b>
<b>Proposed Development:</b>		Material change of use (tourist accommodation) 147-205 Rocky Passage Road, Redland Bay (Lot 3 on RP153333)
<b>Appeal Details:</b>		Appeal against Council's decision to give a preliminary approval for a development application.
<b>Current Status:</b>		<p>Appeal filed 29 November 2019. A review was held on 11 June 2020 and it was ordered that the Appellant shall provide without prejudice (WOP) material to all other parties by 24 June 2020. A WOP, chaired by the P &amp; E Alternative Dispute Resolution (ADR) Registrar, was held on 22 July 2020.</p> <p>At a review on 5 August 2020 it was ordered that the appellant shall provide to the other parties without prejudice material addressing wastewater and landscaping issues by 21 August 2020. This material was provided by the Appellant. A review was held on 14 September 2020. The Appellant was to provide further without prejudice material by 25 September 2020. The Appellant provided the further material on 14 October 2020 and a further WOP conference was held on 19 October 2020. The Appellant provided revised material for comment. A further WOP meeting was held on 16 December 2020.</p> <p>At a review on 5 March 2021 it was ordered that the appellant is to provide the outstanding material agreed at the WOP meeting on 16 December 2020 by 12 March 2021. This information is still awaited.</p> <p>The appellant filed an application to rely upon a change of the development application on 5 March 2021. Further material has been submitted. A minor change hearing has been set down for 25 May 2021.</p>

<b>2.</b>	<b>File Number:</b>	1612 of 2020
<b>Appellant:</b>		<b>Sutgold Pty Ltd</b>
<b>Respondent:</b>		<b>Redland City Council</b>
<b>Proposed Development:</b>		Development permit for a reconfiguration of 9 Lots into 275 Residential Lots, 3 Balance Lots, 1 Load Centre Lot, 2 Park Lots, 2 Open Space Lots, 1 Pedestrian Connection Lot and 1 Multi-function Spine Lot in 12 stages. 36-56 Double Jump Road, 26 Prospect Crescent and 27 Brendan Way, Victoria Point more properly described as Lot 4 on RP57455, Lot 1 on RP95513, Lot 2 on RP86773, Lot 1 on RP86773, Lot 3 on RP148004, Lot 7 on RP57455, Lot 2 on RP169475, Lot 2 on RP165178, Lot 6 on SP145377, Lot 801 on SP261302 and Lot 5 on SP293881.
<b>Appeal Details:</b>		Appeal against deemed refusal by Council.
<b>Current Status:</b>		<p>Appeal filed 5 June 2020. A hearing was held on 23 July 2020 where it was ordered that the respondent was required to notify the parties of its position and grounds if refused or conditions if it should be approved by 7 August 2020. The matter was considered at the General Meeting of Council on 5 August 2020 where it was resolved that the matter ought to be refused. The parties were notified of Council's position as respondent on 6 August 2020.</p> <p>A review was held on 19 August 2020. Orders were made on the papers that that the Appellant was to provide grounds for appeal by 2 September 2020. Council received the grounds of appeal on 9 September 2020. A without prejudice meeting was held on 23 September 2020. A review was held on 16 October 2020. It was ordered that that the parties engage in a further without prejudice meeting by 4 November 2020. A site visit with Council's and Appellant's ecological experts was held on 19 October 2020 and further without prejudice discussions were held on 22 October 2020.</p> <p>The matter was listed for review on 8 December 2020 and it was ordered that the Appellant was to provide its minor change material by 11 December 2020. Council advised that it did not oppose the minor change application on 18 December 2020.</p> <p>The minor change application was approved by the Court on 2 February 2021. Council filed and served its updated reasons for refusal on 19 February 2021. The appellant served grounds for approval on 16 March 2021. Experts were nominated on 19 April 2021 and joint expert reports are to be completed by 28 May 2021. A further review is listed for 27 May 2021.</p>

<b>3.</b>	<b>File Number:</b>	2080 of 2020
<b>Appellant:</b>	<b>Silkwear Developments Pty Ltd</b>	
<b>Respondent:</b>	<b>Redland City Council</b>	
<b>Proposed Development:</b>	Development permit for a reconfiguration of a lot (1 into 5 lots) respect of land at 1-13 Beckwith Street, Ormiston, more properly described as Lot 8 on RP895452 (Council ref: RAL19/0087).	
<b>Appeal Details:</b>	Appeal against conditions.	
<b>Current Status:</b>	<p>Appeal filed on 7 July 2020. A review was undertaken on 2 September 2020. It was ordered that Council is to draft and serve the grounds for the conditions in dispute by 16 September 2020. The appellant is to file and serve any amended grounds for setting aside the disputed conditions by 25 September 2020. A without prejudice meeting was held on 2 October 2020. A further without prejudice meeting was held on 15 October 2020. The Appellant provided revised plans to address stormwater quality and road design on 29 October 2020 and a further without prejudice meeting was due to be held on 19 November 2020 and review on 20 November 2020. These dates were adjourned in order for further changes to take place. Revised material was received on 24 November 2020 and a further without prejudice meeting was held on 26 November 2020.</p> <p>Further to the without prejudice meeting, revised material was provided and further discussions took place on a without prejudice basis.</p> <p>The appeal was adjourned at review on 10 December 2020 and was listed for further review on 5 February 2021, including a minor change application. An application in pending proceeding was filed on 25 March 2021 and sought to amend the notice of appeal to include condition 13 in the appeal. A further review was held on 12 April 2021 and Council notified the parties it objected to the suggested wording of condition 13 on 23 April 2021. A further was scheduled for 14 May 2021.</p>	

<b>4.</b>	<b>File Number:</b>	2081 of 2020
<b>Appellant:</b>	<b>Silkwear Developments Pty Ltd</b>	
<b>Respondent:</b>	<b>Redland City Council</b>	
<b>Proposed Development:</b>	Development permit for a reconfiguration of a lot (1 into 5 lots) respect of land at 1-13 Beckwith Street, Ormiston, more properly described as Lot 8 on RP895452.	
<b>Appeal Details:</b>	Appeal against infrastructure charges notice.	
<b>Current Status:</b>	<p>Appeal filed on 7 July 2020. A review was undertaken on 2 September 2020. A without prejudice (WOP) meeting was held on 2 and 15 October 2020. A further without prejudice meeting was to be held on 19 November 2020. These dates were adjourned in order for further changes to take place. Revised material was received on 24 November 2020 and a further WOP meeting took place on 26 November 2020.</p> <p>The appeal was adjourned at review on 10 December 2020 and was listed for further review on 5 February 2021. The matter was adjourned for a further review on 25 March 2021.</p> <p>An application in pending proceeding was filed on 25 March 2021 and sought to amend the notice of appeal to include condition 13 in the appeal. A further review was held on 12 April 2021 and Council notified the parties it objects to the suggested wording of condition 13 on 23 April 2021. A further review was</p>	

		scheduled for 14 May 2021.
5.	File Number:	2337 of 2020
Appellant:		<b>Bernard Diab and Tracey Diab</b>
Respondent:		<b>Redland City Council</b>
Proposed Development:		Development permit for a material change of use for home-based business in respect of land at 393 Mount Cotton Road, Capalaba and more properly described as Lot 4 on SP297142.
Appeal Details:		Appeal against refusal by Council.
Current Status:		<p>Appeal filed on 17 August 2020. A review was held on 16 October 2020. The respondent (Council) issued its consolidated reasons for refusal on 30 October 2020. A Without prejudice (WOP) meeting conference chaired by the ADR Registrar was held on 19 November 2020. The appellant agreed to provide a revised plan early in the week commencing 23 November 2020 with further comments to be provided within one week of receipt. This information was received on 7 December 2020.</p> <p>The matter was adjourned to 30 March 2021 to negotiate conditions and a further adjournment has been made to 14 May 2021.</p>

6.	File Number:	2893 of 2020
Appellant:		<b>Paige Pty Ltd</b>
Respondent:		<b>Redland City Council</b>
Co-Respondent		<b>Sutgold Pty Ltd</b>
Proposed Development:		Development permit for reconfiguring a lot – 1 into 23 lots and new road on land located at 152-156 Bunker Road, Victoria Point on Lot 23 on RP86773.
Appeal Details:		Appeal against deemed refusal by Council.
Current Status:		<p>Appeal filed on 13 October 2020. Council provided its position on the appeal on 20 November 2020. A review was held on the 23 November 2020 and it was ordered that Council (Respondent) was to provide its particularised list of provisions relevant to the grounds for refusal by 27 November 2020. The particularised list identifying each assessment was provided on 9 December 2020.</p> <p>A further consolidated list of reasons for refusal were provided on 18 December 2020. The Co-respondent provided their position on 9 February 2021. The appellant provided its statement of position on 26 February 2021. A review was listed for 19 February 2021. A without prejudice conference before the ADR Registrar was held on 12 April 2021. The appeal is listed for further review on 21 May 2021.</p>

7.	File Number:	39 of 2021
Appellant:		<b>Sutgold Pty Ltd</b>
Respondent:		<b>Redland City Council</b>
Co-Respondent		<b>Harridan Pty Ltd</b>
Proposed Development:		Development permit for a reconfiguration of a Lot (2 lots into 37 lots, 1 drainage lot, new road and 3 access easements) over land located at 26 Prospect Crescent and 27 Brendan Way, Victoria Point, more particularly described as Lot 801 on SP261302 and Lot 6 on SP145377.
Appeal Details:		Appeal against deemed refusal by Council.



<b>Current Status:</b>		<p>Appeal filed on 4 January 2021.</p> <p>A review was held on 17 March 2021. The appellant served matters supporting approval on 21 April 2021. The appellant is required to file any minor change material by 26 May 2021. A further review is scheduled for 2 June 2021.</p>
<b>8.</b>	<b>File Number:</b>	40 of 2021
<b>Appellant:</b>		<b>Sutgold Pty Ltd</b>
<b>Respondent:</b>		<b>Redland City Council</b>
<b>Proposed Development:</b>		Development permit for a reconfiguration of a Lot (3 lots into 157 lots, 2 entry park lots, 2 drainage lots, 2 multi-function spine lots and new road) over land located at 52, 56, 62, 64 and 66 Double Jump Road, Victoria Point, more properly described as Lot 7 on RP86773, Lot 8 on RP222878, Lot 9 on RP222878, Lot 2 on RP165178 and Lot 5 on SP293881.
<b>Appeal Details:</b>		Appeal against deemed refusal by Council.
<b>Current Status:</b>		<p>Appeal filed on 4 January 2021.</p> <p>A review was scheduled for 17 March 2021. The appellant served matters supporting approval on 21 April 2021. The appellant is required to file any minor change material by 26 May 2021. A further review is scheduled for 2 June 2021.</p>

<b>9.</b>	<b>File Number:</b>	41 of 2021
<b>Appellant:</b>		<b>Alexandra Margaret Shaw</b>
<b>Respondent:</b>		<b>Redland City Council</b>
<b>Co-Respondents:</b>		<b>Tania Morton and Anors</b>
<b>Proposed Development:</b>		Other Change to a development approval (Development permit for a standard format reconfiguration) over land at 17-19 Honeygem Place, Birkdale and more properly described as Lot 1 on SP 174943.
<b>Appeal Details:</b>		Appeal against conditions of approval.
<b>Current Status:</b>		Appeal filed on 22 December 2020. The active parties participated in a Without prejudice (WOP) conference on 31 March 2021. Council provided its reasons for its decision on 4 May 2021. The co-respondents provided notice of their position on 30 April 2021. The parties are to nominate their experts by 14 May 2021.

<b>10.</b>	<b>File Number:</b>	42 of 2021
<b>Appellant:</b>		<b>Tea Cup Cottage Pty Ltd</b>
<b>Respondent:</b>		<b>Redland City Council</b>
<b>Co-Respondents:</b>		<b>Tania Morton and Anors</b>
<b>Proposed Development:</b>		Development permit for material change of use (Residential care facility) over land at 17-19 Honeygem Place, Birkdale and more properly described as Lot 1 on SP 174943.
<b>Appeal Details:</b>		Appeal against conditions of approval.
<b>Current Status:</b>		Appeal filed on 22 December 2020. The active parties participated in a Without prejudice (WOP) conference on 31 March 2021. Council provided its reasons for its decision on 4 May 2021. The co-respondents provided notice of their position on 30 April 2021. The parties are to nominate their experts by 14 May 2021.



<b>11.</b>	<b>File Number:</b>	448 of 2021
<b>Appellant:</b>	<b>Shayher Alliance Pty Ltd</b>	
<b>Respondent:</b>	<b>Redland City Council</b>	
<b>Proposed Development:</b>	Application pursuant to <i>Local Law No 1 (Administration) 2015</i> and <i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017</i> for an electronic display component – High impact sign at 38-62 Moreton Bay Road, Capalaba and more properly described as Lot 3 on RP888108.	
<b>Appeal Details:</b>	Appeal against third party advertising condition imposed by Council.	
<b>Current Status:</b>	Appeal filed on 24 February 2021. A without prejudice meeting was held on 16 April 2021. The matter is listed for review on 21 May 2021.	

<b>12.</b>	<b>File Number:</b>	449 of 2021
<b>Appellant:</b>	<b>Shayher Alliance Pty Ltd</b>	
<b>Respondent:</b>	<b>Redland City Council</b>	
<b>Proposed Development:</b>	Application pursuant to <i>Local Law No 1 (Administration) 2015</i> and <i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017</i> for an electronic display component – High impact sign at 131 Old Cleveland Road, Capalaba and more properly described as Lot 4 on RP886783.	
<b>Appeal Details:</b>	Appeal against third party advertising condition and dwell time condition imposed by Council.	
<b>Current Status:</b>	Appeal filed on 24 February 2021. A without prejudice meeting was held on 16 April 2021. The matter is listed for review on 21 May 2021.	

<b>13.</b>	<b>File Number:</b>	505 of 2021
<b>Appellant:</b>	<b>Griffith Capital Pty Ltd</b>	
<b>Respondent:</b>	<b>Redland City Council</b>	
<b>Proposed Development:</b>	Development permit for material change of use for a childcare centre over land at 13 to 15 Ziegenfusz Road, Thornlands and more properly described as Lots 121 on RP198375 and Lot 122 on RP198375.	
<b>Appeal Details:</b>	Appeal against deemed refusal by Council.	
<b>Current Status:</b>	Appeal filed on 3 March 2021. Council notified the Court of its position in the appeal on 30 April 2021. A without prejudice meeting is scheduled for 20 May 2021.	

## APPEALS TO THE QUEENSLAND COURT OF APPEAL

<b>14.</b>	<b>File Number:</b>	8114 of 2018 (MCU012812)/ (QPEC Appeal 3641 of 2015)
	<b>Appellant:</b>	<b>Redland City Council</b>
	<b>Respondent:</b>	<b>King of Gifts Pty Ltd and HTC Consulting Pty Ltd</b>
	<b>Proposed Development:</b>	Material Change of Use for Service Station (including car wash) and Drive Through Restaurant 604-612 Redland Bay Road, Alexandra Hills (Lot 21 on SP194117)
	<b>Appeal Details:</b>	Appeal against the decision of the Planning and Environment Court to allow the appeal and approve the development.
	<b>Current Status:</b>	<p>Appeal filed by Council on 30 July 2018. Council's outline of argument was filed on 28 August 2018. The appellant's outline of argument was filed on 20 September 2018. The matter was heard before the Court on 12 March 2019. The judgment of the Supreme Court on 13 March 2020 was that the appeal is allowed and the orders made on 18 June 2019 be set aside. The appeal is to be remitted back to the Planning and Environment Court and the respondent is to pay the appellant's costs of the appeal.</p> <p>At a review in the P &amp; E Court on 15 June 2020 the Court ordered that written submissions are to be filed by 10 July 2020 with a hearing listed for 17 July 2020. The written submissions were filed on 10 July 2020.</p> <p>The Judgment in the P &amp; E Court was issued on 7 August 2020 and the appeal was allowed.</p> <p>A further appeal has been submitted by Council. An outline of argument and list of authorities were filed on 20 November 2020. The respondent's outline was filed on 19 January 2021. A hearing was held on 15 March 2021. The Judgment is awaited.</p>

## DEVELOPMENT TRIBUNAL APPEALS AND OTHER MATTERS

None

## Human Rights

There are no known human rights implications associated with this report.

## OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/151

**Moved by:** Cr Mark Edwards

**Seconded by:** Cr Peter Mitchell

**That Council resolves to note this report.**

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**14.3 DELEGATED DECISIONS AND APPEALS UPDATE REPORTS TO COUNCIL****Objective Reference:** A5364156**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** David Jeanes, Group Manager City Planning and Assessment**Report Author:** Kim Sweeper, Principal Advisor Performance & Innovation**Attachments:** Nil**PURPOSE**

To seek agreement on removing from the General meeting agenda the reports for:

- Noting decisions made under delegated authority for Category 1, 2 and 3 development applications.
- Noting development and planning related court matters.

**BACKGROUND**

The following standard reports are taken to each General meeting of Council:

- Decisions made under delegated authority for Category 1, 2 and 3 development applications.
- List of development and planning related court matters.

These reports are for noting only and help to keep the Councillors and community informed about development decisions and court matters. There are now alternative and more efficient ways to keep Councillors and the community informed about these matters.

**ISSUES**

With the introduction of Development.i, Councillors and the community now have greater transparency on development applications. Development.i makes it possible to keep updated on development applications received and decided throughout Redlands Coast. The digital platform includes options to search for applications at a specific address or area by using the map search function and to search for applications lodged and decided. It is considered that Development.i sufficiently covers the information that is taken to the General meetings on development applications decided under delegated authority and in fact would be more likely utilised by the community. Consequently there is no longer any need to prepare these reports.

In regards to development and planning related court matters, it is proposed that these updates be published monthly on Council's website. Again this provides greater transparency rather than customers having to sort through General meeting agendas and minutes to find this information.

Information will be published monthly on Council's website along with useful information and links to the Queensland Legislation website and how to search for publicly accessible information on development and planning related court matters.

**STRATEGIC IMPLICATIONS****Legislative Requirements**

Council is obliged under the Planning Regulation Schedule 22 to publish on its website, certain documents relating to development applications. Council meets this obligation through Development.i (and previously through PD Online).

There are no other legislative requirements in regards to the matters outlined in this report.

**Risk Management**

There is a risk that Councillors may have a conflict of interest on the agenda reports, albeit these items are only for noting. Removing these from the agenda mitigates that risk.

**Financial**

There are no financial implications associated with this report.

**People**

Education material is available for customers on the use of Development.i, including video tutorials.

An internal work instruction will be implemented for staff responsible for the monthly publishing of development and planning related court matters on Council's website.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Human Rights**

There are no known human rights implications associated with this report.

**Alignment with Council's Policy and Plans**

Not applicable.

**CONSULTATION**

Consulted	Consultation Date	Comments/Actions
Service Manager Planning Assessment	28 April 2021	Process reviewed and agreed
Group Manager City Planning and Assessment	28 April 2021	Process reviewed and agreed

**OPTIONS****Option One**

That Council resolves as follows:

1. To discontinue the General meeting report for noting decisions made under delegated authority for Category 1, 2 and 3 development applications.
2. To discontinue the General meeting report for noting development and planning related court matters.
3. To start monthly publication on Council's website of general and non-confidential information on development and planning related court matters.

**Option Two**

That Council resolves as follows:

1. To continue reporting at each General meeting to note decisions made under delegated authority for category 1, 2 and 3 development applications.
2. To continue reporting at each General meeting to note development and planning related court matters.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/152**

**Moved by: Cr Paul Bishop**

**Seconded by: Cr Peter Mitchell**

That Council resolves as follows:

1. To discontinue the General meeting report for noting decisions made under delegated authority for Category 1, 2 and 3 development applications.
2. To discontinue the General meeting report for noting development and planning related court matters.
3. To start monthly publication on Council's website of general and non-confidential information on development and planning related court matters.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**14.4 DRAFT REDLANDS COAST BAY AND CREEKS PLAN****Objective Reference:** A5330469**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** Graham Simpson, Group Manager Environment and Regulation**Report Author:** Candy Daunt, Senior Advisor Environment**Attachments:**  
1. Draft Redlands Coast Bay and Creeks Plan 2021-2031 [↓](#)  
2. Draft Redlands Coast Bay and Creeks Action Plan 2021-2026 [↓](#)**PURPOSE**

To adopt the Redlands Coast Bay and Creeks Plan 2021-2031 and Redlands Coast Bay and Creeks Action Plan 2021-2026.

**BACKGROUND**

The health of our waterways, including Moreton Bay and local creeks, has for many years been a significant focus of Council and other agencies with management responsibility. As a result, there is a lot of data profiling on the health of these waterways, which provides the basis for planning and actions that can contribute to improving waterways within Redlands Coast.

Council is committed to protecting, maintaining and restoring the ecological health and values of creeks and Moreton Bay. This is evident in the various activities and programs Council already undertakes. While Council has invested significant resources in on ground activities to improve water quality and aquatic ecosystem health, significant opportunities still exist for Redlands Coast to protect and enhance the resilience of waterways.

Moreton Bay contributes \$7.56 billion to the South East Queensland economy each year and contributes directly to the local economy of Redland City. Council shares a stake in this economy and is a manager of significant natural, built and social assets involving land and waters that flow into Moreton Bay.

Over the past 70 years, there has been significant population growth in South East Queensland, including in the Redlands Coast. Substantial re-development of most of the catchments of Redlands Coast has resulted in rapid urbanisation converting former agricultural lands and bushland areas to residential areas. This is particularly evident in coastal areas, which are now heavily modified.

The condition of our waterways is monitored by Healthy Land and Water at a regional catchment level, and at a finer scale by Council over the last 10 years. Council is a founding member of Healthy Land and Water.

Healthy Land and Water undertakes regional scale monitoring of waterway health with Redlands and Moreton Bay sub-areas monitored for performance. Healthy Land and Water has reported that most river and creek catchments continue to be under pressure, including Redlands, whilst Moreton Bay continues to generally improve.

Monitoring data from the annual Healthy Land and Water Report Cards for Redlands Coast mainland and southern Moreton Bay indicates that typically our waterways are reported as:



- The health of freshwater waterways has declined over time and is now generally poor, with the extent of freshwater wetlands in the Redlands Coast catchment also classified as poor. The monitoring data indicates that waterway health is subject to seasonal fluctuations (C to C+, depending on the time of year), and that loads of sediment and nutrients have increased over time, although these may be linked with periods of higher rainfall.
- Overall, freshwater fish communities have declined, macroinvertebrates have remained stable and ecological process have increased slightly.
- The extent of streambank vegetation along creeks of Redlands Coast is good, and wetlands are stable. Currently 86% of streambanks in Redland City are vegetated.
- The water quality of estuarine reaches is fair, and the extent of wetland habitat (mangroves and saltmarshes) in the estuaries is excellent. These excellent condition estuarine habitats in the Redlands Coast are critical for maintaining the productive recreational and commercial fisheries the community relies on.
- The health of Moreton Bay is good overall, water quality is excellent and the extent of wetland habitats is excellent. The western and central bay have had notable improvement in ecological condition since 2015.

The results of Council's own waterway monitoring program indicates that there is considerable variability in water quality results across the catchments over time, often reflecting rainfall and seasonal events.

While Council has invested significant resources in on-ground activities to improve water quality and aquatic ecosystem health, significant opportunities still exist to protect and enhance the resilience of waterways on Redlands Coast.

The management of the waterways and bay is complex. Therefore, there is need for a plan with a clear vision to identify priorities, set a clear future direction and drive coordinated and targeted actions. As such, the Redlands Coast Bay and Creeks Plan 2021-2031 will replace the Reaching for Waterways Recovery Strategy 2012.

The Reaching for Waterways Recovery Strategy 2012 has helped inform Council's actions previously but is not considered to be a contemporary plan to drive further planning and actions in regards to Redlands Coast's waterways. The strategy also does not incorporate the framework and initiatives established by Healthy Land and Water or the Council of Mayors Resilient Rivers Program over recent years, which assists in setting the regional and local context for best practice waterway management. These are critical drivers for developing and adopting the Redlands Coast Bay and Creeks Plan 2021-2031.

## ISSUES

The liveability of Redlands Coast and the sustainability of communities within its catchments are strongly influenced by the health of our waterways and Moreton Bay. However, existing and emerging challenges from land use change, population growth and a changing climate, likely mean that the 'business-as-usual' approach to managing our bay and creeks may not protect the lifestyles we value, the economy that provides our prosperity or the healthy environment that contributes to our quality of life.

The Redlands Coast Bay and Creeks Plan 2021-2031 is a non-statutory document and intends to not only replace the Reaching for Waterways Recovery Strategy 2012, but also the environmental components of the 2013 Total Water Cycle Management Plan (TWCMP), and will utilise information and prioritise actions from the SEQ Council of Mayors, Resilient Rivers Initiative 'Lower Brisbane and Redlands Coastal Catchment Action Plan' (CAP).

The Redlands Coast Bay and Creeks Plan 2021-2031 provides strategic intent for protecting, maintaining and enhancing the health of our waterways and the bay. It seeks to identify, consolidate and prioritise existing waterway knowledge, and will guide and prioritise management actions and Council's operational activities for ensuring ongoing resilience of our waterways and the bay over the next 10 years.

The supporting Redlands Coast Bay and Creeks Action Plan 2021-2026 is targeted on delivery actions within the next five years.

The Redlands Coast Bay and Creeks Plan 2021-2031 will deliver on the Corporate Plan 2021-2026 objectives and key initiatives for the Natural Environment. It presents a vision for the creeks and bay to ensure Council's and community actions leave a positive legacy for the future Redlands Coast.

### **Goals**

Four goals have been identified in the Redlands Coast Bay and Creeks Plan 2021-2031 to achieve the vision of protecting and enhancing resilience of the creeks and Moreton Bay for a sustainable future, being:

#### *Decisions Based on Science*

Strengthen science based knowledge of the effects of climate change and population growth on the health and resilience of the waterways to ensure management actions meet current and future needs.

#### *Protect Creek and Bay Assets*

Minimise harm to the creeks and bay from pollution, by prioritising the quality of urban runoff, management of stormwater and natural assets, and protecting existing instream, wetland and creek bank vegetated ecosystems.

#### *Restore Degraded Systems*

Restore resilience of the creeks and the bay by improving habitats, biodiversity, connectivity and natural flows through corrective remediation works including actively eroding areas.

#### *Community Making a Difference*

Increase community stewardship and connection to the bay and creeks, through education and partnerships.

### **Challenges**

For the purpose of defining and informing the goals of the Redlands Coast Bay and Creeks Plan 2021-2031, and the actions necessary to protect and enhance the resilience of creeks and Moreton Bay, two primary challenges have been identified:

1. Impacts from population growth and land use change, and
2. Climate change



### Population growth and land use change

Some of the main challenges to waterway health in the Redlands Coast include waterway barriers, cleared and developed riparian zones, point source discharges, non-point source pollution and sediment from modified catchments, invasive species and altered flow regimes due to highly urbanised catchments. Increased nutrient and sediment loads have implications for the health of Moreton Bay, especially with respect to potential for algal and toxic cyanobacteria (blue-green algae) blooms.

Construction of urban areas contribute significant volumes of sediment to the waterways. Approximately 1% of land area across South East Queensland is under construction at any given time, with construction sites across the region contributing 40% of the sediment load that enters Moreton Bay. The impacts of sediment directly, in addition to the numerous pollutants attached to sediment (e.g. nitrogen, phosphorus and heavy metals), mean that sediment is one of the most significant threats to waterway health in South East Queensland.

It is a primary challenge of the Redlands Coast Bay and Creeks Plan 2021-2031 to more effectively mitigate the impacts of population growth and land use changes on Redlands Coast waterways and Moreton Bay, by planning and actions that can lead to improved waterway health.

### Climate Change

The impact of climate change on aquatic systems are likely to be complex and relate to changes in thermal and hydrological regimes, with changing rainfall patterns influencing stream hydrology and rising mean sea level influencing the hydrology along coasts and in estuaries. A range of water quality and ecological changes are likely to occur which are a primary challenge for the Redlands Coast Bay and Creeks Plan 2021-2031.

With timely and effective planning and interventions, climate risks can be better managed for increased resilience to climate change impacts on Redlands Coast's waterways and Moreton Bay.

### **Strategic Framework**

There is no current plan to connect and align Redlands Coast's natural aquatic values, or that gives strategic intent for the future health and wellbeing of Redlands Coast's catchments, waterways and receiving waters of Moreton Bay.

The regional level work being undertaken by Healthy Land and Water, and the Council of Mayors Resilient Rivers initiative are important in seeking to resolve waterway health at a larger scale given catchments are not generally local government specific, with waterway management actions often having impacts downstream. For example, improvements in waterway health upstream in both the Brisbane and Logan River catchments will impact Moreton Bay within Redlands Coast.

The purpose of the Redlands Coast Bay and Creeks Plan 2021-2031 is not to replicate this regional level work but to refine what planning and actions can be undertaken within Redlands Coast to deal with local level issues. Most creek catchments in Redlands Coast are entirely within our jurisdiction, as are many coastal areas, therefore it is essential that Council has a clear plan in regards how it can influence and improve local waterways and our coastline.

In October 2018, Council endorsed the Resilient Rivers Initiative's Lower Brisbane-Redlands Coastal Catchment Action Plan (CAP). The CAP was developed by the Council of Mayors Resilient Rivers Initiative, with officers from Brisbane and Redland City Councils assisting. The principal focus of the CAP is to address the impacts of stormwater runoff (primarily sediments, nutrients, hydrocarbons and metals) from urbanised areas – both existing, and those under development – on our creeks, Brisbane River, and Moreton Bay.

The executive summary of the Lower Brisbane-Redlands Coastal CAP states:

*"In order to secure the Resilient Rivers Initiative's vision this Plan provides an overview of the catchment's assets, threats and actions to mitigate the identified risks. The range of built and natural assets across the catchment presents a challenge for their effective management, highlighting the importance of both leadership and partnership to deliver a coordinated approach to successfully delivering the Initiative's vision of a ...resilient, productive, liveable and growing region."*

The objectives of the Lower Brisbane-Redlands Coastal Catchment Action Plan are to:

- I. Keep soil on our land and out of our waterways
- II. Help protect our region's water security
- III. Improve the climate resilience of our region
- IV. Promote partnerships with strong leadership to deliver prioritised actions to achieve the Resilient Rivers Initiative vision based on the best of our knowledge coordinated approach

The final product of the Lower Brisbane-Redlands Coastal CAP is the Risk Treatment Plan, which sets out the high-priority actions recommended for the Lower Brisbane-Redlands Coastal Catchment. These actions focus on either on-ground or policy actions that mitigate high risks and have a high likelihood of success. A total of 17 actions are recommended. The Redlands Coast Bay and Creeks Plan 2021-2031 and Redlands Coast Bay and Creeks Action Plan 2021-2026 incorporate the objectives and actions from the Lower Brisbane-Redlands Coastal CAP, and guide implementation of the CAP actions at a local level.

There are several other organisational and strategic opportunities, and existing plans for the Redlands Coast Bay and Creeks Plan 2021-2031 to link to, including:

- Coastal Hazard Adaption Strategy 2021
- Wildlife Connections Plan 2018
- Redlands Coast Biosecurity Plan 2018
- Council Asset and Service Management Plans
- Netserv Plans (Redland Water service delivery and infrastructure operation)
- SEQ Water bulk water supply (Leslie Harrison Dam and NSI groundwater) linkages to local catchment management issues
- Redlands Coast Annual Waterway Recovery Monitoring and Reporting
- Landholder Extension Programs
- Parks and Conservation Services Unit Maintenance Program

- Redland City Plan 2018

### Action Plan

The supporting Redlands Coast Bay and Creeks Action Plan 2021-2026 (Action Plan) lists the key actions and performance measures under each of the four key goals of the Redlands Coast Bay and Creeks Plan 2021-2031. This Action Plan outlines how Council will continue to protect and enhance the resilience of the creeks and bay.

High priority actions have been identified for the next five years for successful implementation of the Redlands Coast Bay and Creeks Plan 2021-2031, which will be prioritised based on criticality and funding opportunities. The Action Plan helps in defining those stakeholders who have a role in the cross-collaboration needed to manage our waterways to provide mitigation of impacts.

The Action Plan aligns with and operationalises Council's implementation of the Lower Brisbane-Redlands Coastal Catchment Action Plan (CAP) that Council endorsed in 2018.

Managing our waterways to provide the best possible mitigations from past, present and future impacts will be a complex process that will require cross-collaboration by all stakeholders. All actions that are implemented under this plan must:

- Follow at a minimum, Best Management Practices (BMP) for all on-ground works
- Take into consideration project timing and costs
- Ensure appropriate approvals and permits are in place
- Follow all organisational codes, procedures and policies
- Comply with all legislation, such as the *Environmental Protection Act 1994* (including meeting General Environmental Duty, section 440ZG and the Duty to Notify) and *Biosecurity Act 2014* (including General Biosecurity Obligation)

The progress of the implementation of these actions will be monitored each year. The success of each action is to be assessed based on the 'Performance Measures' outlined.

All actions are subject to funding and resourcing, noting many of the actions have been selected based on meeting multiple goals of the Redlands Coast Bay and Creeks Plan 2021-2031.

## STRATEGIC IMPLICATIONS

### Legislative Requirements

There are a number of International, Commonwealth and State legislation relevant to the management of waterways and Moreton Bay. Refer to Appendix 1 of the Redlands Coast Bay and Creeks Plan 2021-2031 for a list of legislation.

### Risk Management

Identified risk management issues will be addressed through Council's Risk Management Policy.

### Financial

Funding of the priority actions identified in the Redlands Coast Bay and Creeks Action Plan 2021-2026 is important for the success and the performance of the Redlands Coast Bay and Creeks Plan 2021-2031 in protecting and enhancing the resilience of the creeks and Moreton Bay. Funding of

priority actions will be undertaken using existing budgets or be subject to budget prioritisation and availability.

Each Priority Outcome in the Redlands Coast Bay and Creeks Action Plan 2021-2026 is divided into Planning and Implementation Stages for each of the key goals:

- Decisions Based on Science
- Protect Creeks and Bay Assets
- Restore Degraded Systems
- Community Making a Difference

The staging of the actions within the Redlands Coast Bay and Creeks Action Plan 2021-2026 will ensure planning, monitoring and research is completed prior to the implementation stage and management actions can meet current and future needs. This will also enable implementation activities to be full costed and 'shovel ready' to pursue future funding opportunities through external sources such as City Deals, Resilient Rivers; and Council's annual budget submission process.

The costs are indicative and are staged over the implementation of the five-year Action Plan to guide adaptive management, continually evaluating performance and informing future actions.

The proposed Redlands Coast Bay and Creeks Action Plan 2021-2026 identifies a number of actions that are covered through existing operational budgets. Emphasis will be placed on collaboration, capacity building and adding value to existing plans, policies and programs. This will assist in identifying opportunities to share information and combine resources across Council to achieve better outcomes for the community and Council.

The Redlands Coast Bay and Creeks Action Plan 2021-2026 aligns with and operationalises Council's implementation of the Lower Brisbane-Redlands Coastal Catchment Action Plan (CAP) that Council endorsed in 2018.

### **People**

There are no implications on human resources policies.

### **Environmental**

The environmental values are summarised in the background section of this report.

### **Social**

There are no social implications associated with this report.

### **Human Rights**

There are no human rights implications associated with this report.

### **Alignment with Council's Policy and Plans**

The plans provide a direct line of sight with the Corporate Plan 2021- 2026 and its implementation. Council's Corporate Plan 2021-2026 establishes a commitment to the Natural Environment (Goal 4) which states:

*"Our environment enhances our identity, lifestyle, wellbeing, economy and cultural values. Opportunities to be immersed in our naturally wonderful environment are harnessed, and drive our commitment to protect and enhance our natural assets."*

Specifically, the Plan supports key initiative 10 listed under the commitment to the Natural Environment being:

*"Implement programs to address the impacts of land uses on waterways by delivering a coordinated approach to catchment management."*

ENV-001-P Natural Environment Policy supports Council waterways catchment management, through the following outcomes:

- Protect, enhance, restore the natural terrestrial and aquatic values of the City
- Enhancing and restoring Council's protected areas
- Aquatic, in-stream and riparian rehabilitation, fish passage improvement
- Stormwater asset maintenance and erosion and sediment control
- Managing protected areas and sensitive environmental areas from the impacts of a changing climate
- Improving knowledge of natural terrestrial and aquatic values and environmental performance through prioritised monitoring, research and reporting programs to inform Council's decision making

The Redlands Coast Bay and Creeks Plan 2021-2031 aligns with a number of Council plans. These are identified in the body of the report and within the Plan.

## CONSULTATION

The development of the Redlands Coast Bay and Creeks Plan 2021-2031 and Redlands Coast Bay and Creeks Action Plan 2021-2026 involved consultation with a broad selection of Council staff representing all groups associated with its implementation.

Consulted	Consultation Date	Comments/Actions
Environment and Regulation Group – Environment & Education; Compliance Services, Health & Environment, Development Control	March to May 2019 May to July 2020	Provided technical expert advice and context on the operational delivery of the plan and informed changes.
City Planning and Assessment Group – Strategic Planning, Planning Assessment	March to May 2019	Provided technical expert advice and context on the operational delivery of the plan and informed changes.
Infrastructure and Operations Department – Project Delivery Group; City Water; City Waste; Roads Drainage and Marine; Marine and Water Assets; Parks & Conservation; Community Open Space and Asset Management	May to July 2020	Provided technical expert advice and context on the operational delivery of the plan and informed changes.
External Grants; Risk; Project Management Office; Learning & Development; Indigenous Partnerships	March to May 2019	Provided technical expert advice and context on the operational delivery of the plan and informed changes.
Community and Economic Development Group	May to July 2020	Provided technical expert advice and context on the operational delivery of the plan and informed changes.
Executive Leadership Team	11 May 2021	Provided strategic advice and context on the strategic alignment and operational delivery of the plan.



Councillor workshop	17 May 2021	To discuss the objectives and identified actions of the Redlands Coast Bay and Creeks Plan and Action Plan.
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**OPTIONS****Option One**

That Council resolves as follows:

1. To adopt the Redlands Coast Bay and Creek Plan 2021-2031 and Redlands Coast Bay and Creeks Action Plan 2021-2026, which replaces the Reaching for Waterways Recovery Strategy 2012 and environmental elements of the Total Water Cycle Management Plan 2013, subject to funding of actions as prioritised through Council's normal budget adoption process.
2. To authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to final publication.
3. To review the implementation of the Redlands Coast Bay and Creek Plan 2021-2031 and Action Plan 2021-2026 after 12 months taking into account any relevant recommendations from partners and feedback from the community.

**Option Two**

That Council resolves to not adopt the Redlands Coast Bay and Creeks Plan 2021-2031 and Redlands Coast Bay and Creeks Action Plan 2021-2026.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/153**

Moved by: Cr Wendy Boglary

Seconded by: Cr Rowanne McKenzie

That Council resolves as follows:

1. To adopt the Redlands Coast Bay and Creek Plan 2021-2031 and Redlands Coast Bay and Creeks Action Plan 2021-2026, which replaces the Reaching for Waterways Recovery Strategy 2012 and environmental elements of the Total Water Cycle Management Plan 2013, subject to funding of actions as prioritised through Council's normal budget adoption process.
2. To authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to final publication.
3. To review the implementation of the Redlands Coast Bay and Creek Plan 2021-2031 and Redlands Coast Bay and Creeks Action Plan 2021-2026 after 12 months taking into account any relevant recommendations from partners and feedback from the community.

**CARRIED 11/0**

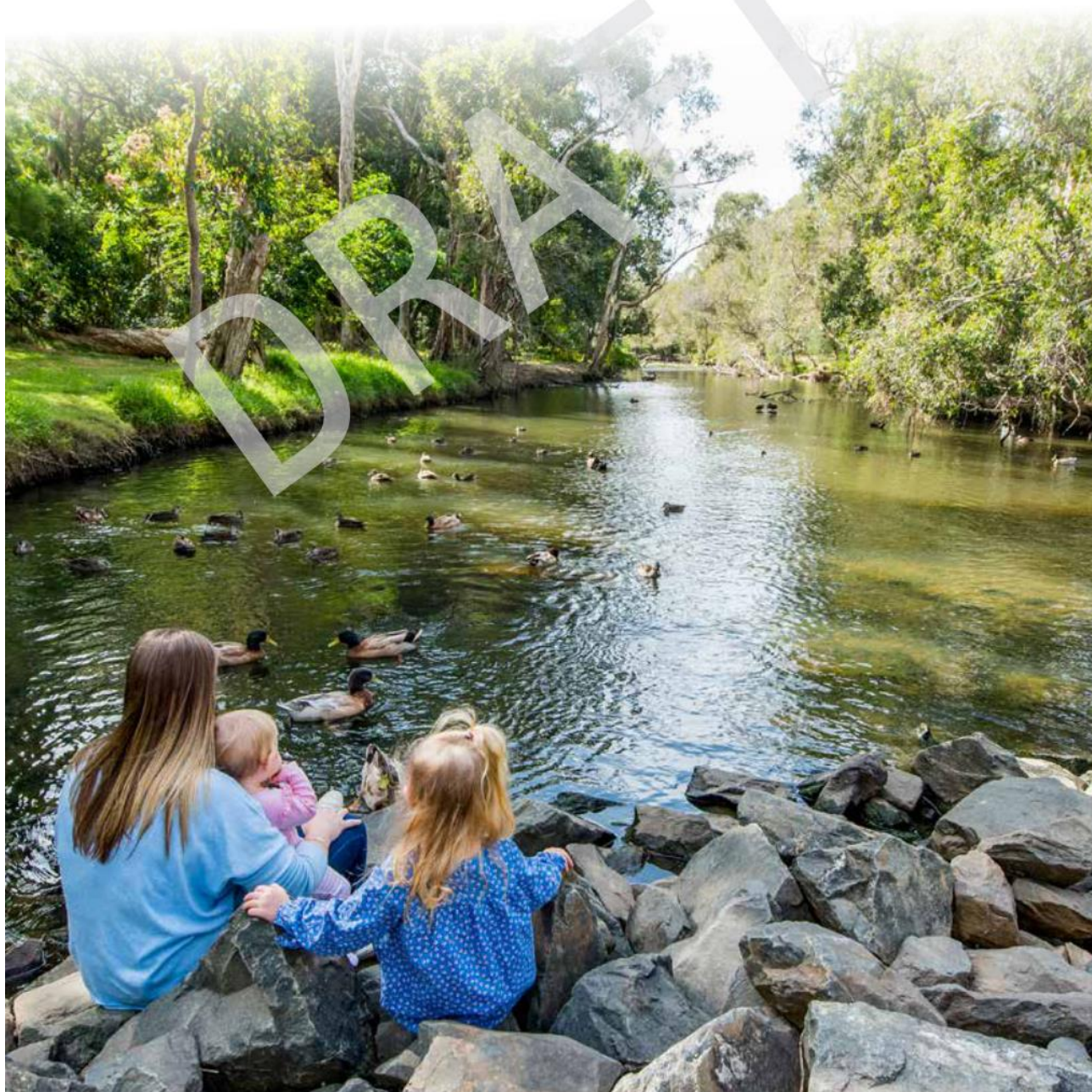
Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.



Redlands Coast

# Bay and Creeks Plan

2021–2031



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## 1.0 Forward

Redland City Council (Council) manages significant natural, built, cultural and social assets involving land and waterways that flow to Moreton Bay. Moreton Bay contributes \$7.56 billion to the south-east Queensland economy each year (1), and contributes directly to the local economy of Redland City. Maintaining the ecological health of our local waterways and the bay is therefore coupled, and vital for building resilience to manage current and future challenges, including population growth and climate change.

Council has invested significantly in assessing and improving the condition of our waterways and the bay, with initiatives such as the waterways monitoring and assessment programs, implementing actions to reduce sediment loads from construction sites and through the commitment to plant one million native plants by 2026. The development and implementation of *Redlands Coast Bay and Creeks Plan* (the Plan) reflects an ongoing commitment to sustainable stewardship of our waterways and the bay.

The Plan provides strategic intent for protecting, maintaining and enhancing the health of our waterways and the bay. The Plan guides and prioritises management actions and Council's operational activities for ensuring ongoing resilience of our waterways and the bay over the next ten years.

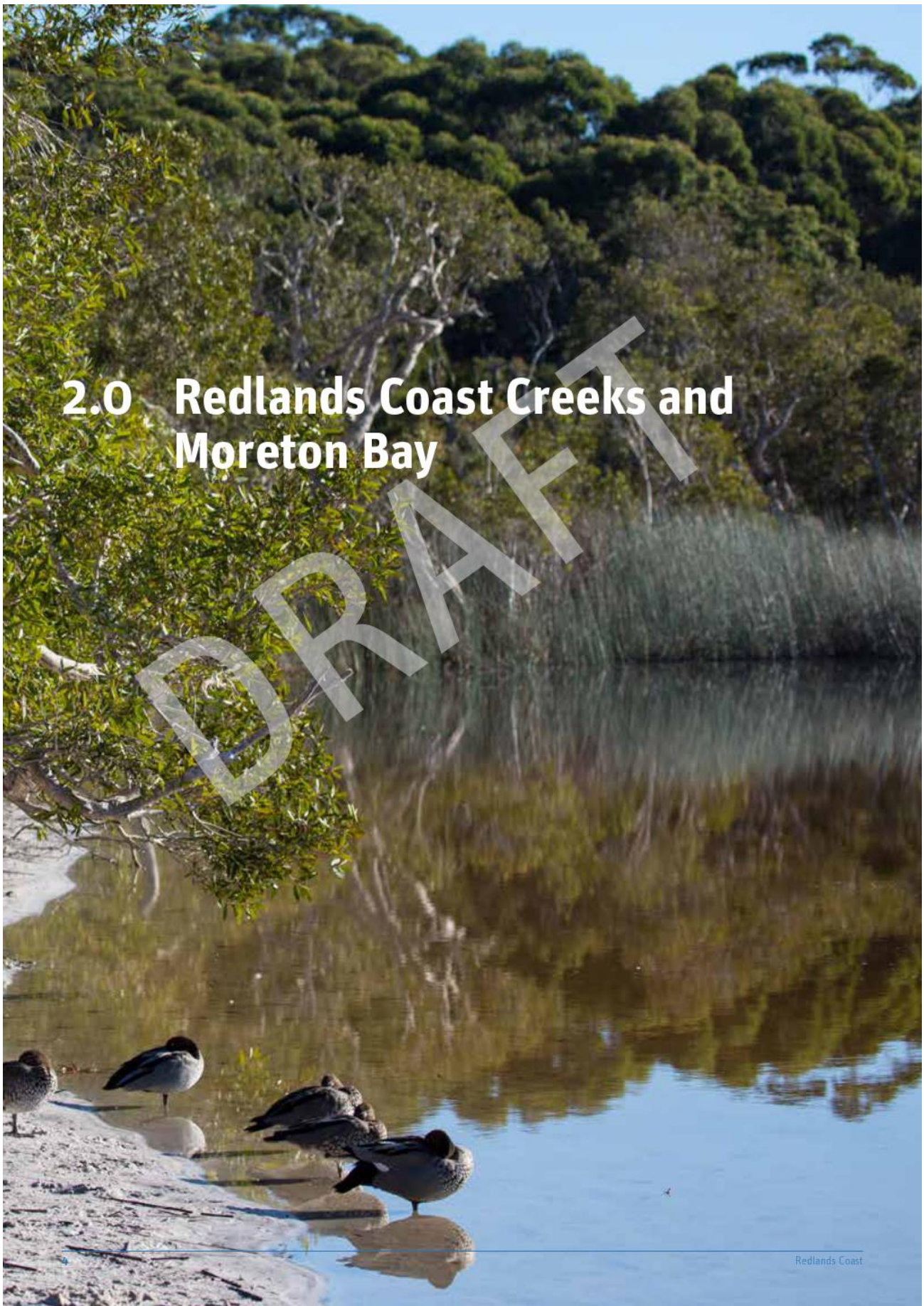
Redlands Coast Bay and Creeks Plan is a non-statutory document and supersedes the *Total Water Cycle Management Plan 2013*. The specific operational management actions are presented in the supplementary Action Plan, and have been developed to be practical, realistic, targeted and achievable.

The Plan and supplementary Action Plan align with and operationalises Council's implementation of the Lower Brisbane-Redlands Coastal Catchment Action Plan (CAP) that Council endorsed in 2018.

Bay and Creeks Plan 2021-2031



## 2.0 Redlands Coast Creeks and Moreton Bay





Management of Moreton Bay and Redlands Coast's creeks extends to areas that Council has custodianship of, or has direct influence on. This includes public land and private land, which may be regulated via development approvals or other legislation. Council has the opportunity to influence individuals, businesses and other organisations using a range of legislative and non-legislative measures. Education and engagement activities can be used to support stakeholders alignment to the strategic direction presented in this Plan.

For the purposes of this Plan, 'waterways' includes all waters and waterways in Redland City, including creeks, estuaries, wetlands, lakes, dams, artificial water bodies, stormwater infrastructure, foreshores, coasts and river and Moreton Bay. Moreton Bay area is identified according to the Moreton Bay Marine Park Zoning Plan (6).

Groundwater is within the scope of the Plan, particularly to the extent that it interacts with surface waters and Moreton Bay. Land adjacent to Moreton Bay is also recognised because rainfall runoff from this land flows to the bay and can therefore influence the health of the bay.

Management of our waterways and Moreton Bay will be achieved through collaboration and partnerships established between Council, traditional owners, community members, various levels of government and other stakeholders.



Bay and Creeks Plan 2021-2031

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### 3.0 Why We Need a Plan

DRAFT

Bay and Creeks Plan 2021-2031

6



The liveability of Redlands Coast and the sustainability of communities within its catchments are strongly influenced by the health of our waterways and Moreton Bay.

However, existing and emerging challenges from land use change, population growth and a changing climate, likely mean that the 'business-as-usual' approach to managing our bay and creeks may not protect the lifestyles we value, the economy that provides our prosperity or the healthy environment that contributes to our quality of life.

The management of the waterways and bay is complex. Therefore, there is need for a plan with a clear vision to identify priorities, set a clear future direction and drive coordinated and targeted actions. This Plan presents a vision for the creeks and bay to ensure Council's and community actions leave a positive legacy for the future Redlands Coast.

### 3.1 Strategic Fit

There are a number of International, Commonwealth and State legislation relevant to the management of waterways and Moreton Bay. Refer to Appendix 1 for a list of legislation summarised from McGrath (2018)

#### Regional

##### Lower Brisbane-Redlands Coastal Catchment Action Plan (CAP)

In October 2018, Council endorsed the Lower Brisbane-Redlands Coastal Catchment Action Plan. The CAP was developed by the Council of Mayors' Resilient Rivers Initiative, which included consultation with officers from Brisbane and Redland City Councils.

The actions identified in the CAP contribute to achieving the goals of the Resilient Rivers Regional Strategy (2015–2025). The goals of the Strategy are:

1. Keep soil on our land and out of our waterways.
2. Help protect our region's water security.
3. Improve the climate resilience of our region.
4. Promote partnerships with strong leadership to deliver a coordinated approach to catchment management in SEQ.

The associated Risk Treatment Plan sets out the high-priority actions recommended for the Lower Brisbane-Redlands Coastal Catchment. This focuses on actions that mitigate high risks and have a high likelihood of success.

#### Redland City Council

The Natural Environment Policy outlines Council's commitment to protect, enhance and restore the health and viability of Redland Coast's natural aquatic values and environments for their inherent value and the benefit, use and lifestyle of current and future generations.

Council's Corporate Plan 2021-2026 establishes a commitment to promoting:

*Our environment enhances our identity, lifestyle, wellbeing, economy and cultural values. Opportunities to be immersed in our naturally wonderful environment are harnessed, and drive our commitment to protect and enhance our natural assets.*

This Redlands Coast Bay and Creeks Plan and the associated Action Plan supports this position by outlining a coordinated set of actions to protect and restore the resilience of the creeks and Moreton Bay. (Figure 1)

The Plan aligns and supports other Council strategies and plans that have direct influence on our waterways such as the Coastal Adaption Strategy (CAS), Coastal Hazard Adaption Strategy 2021 (CHAS), Redland City Council Wildlife Connections Plan 2018, Redlands Coast Biosecurity Plan 2018 and Redland City Council Conservation Land Management Strategy 2010. Furthermore, this Plan seeks to align with other Council strategies and plans such as Redland City Council Open Space Strategy 2026, Redlands Coast Rural Enterprises Industry Sector Plan 2019, Redland City Council Strategic Asset Management Plan 2019, Assets and Service Management Plans and Redland Water and Waste NetServ Plans.

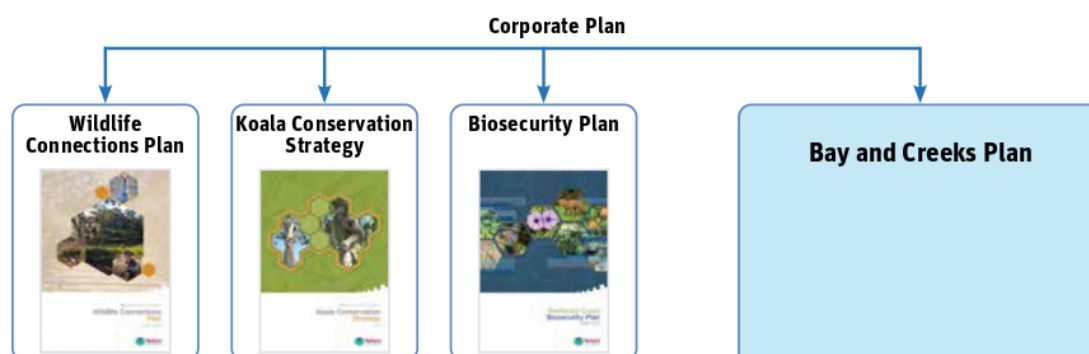
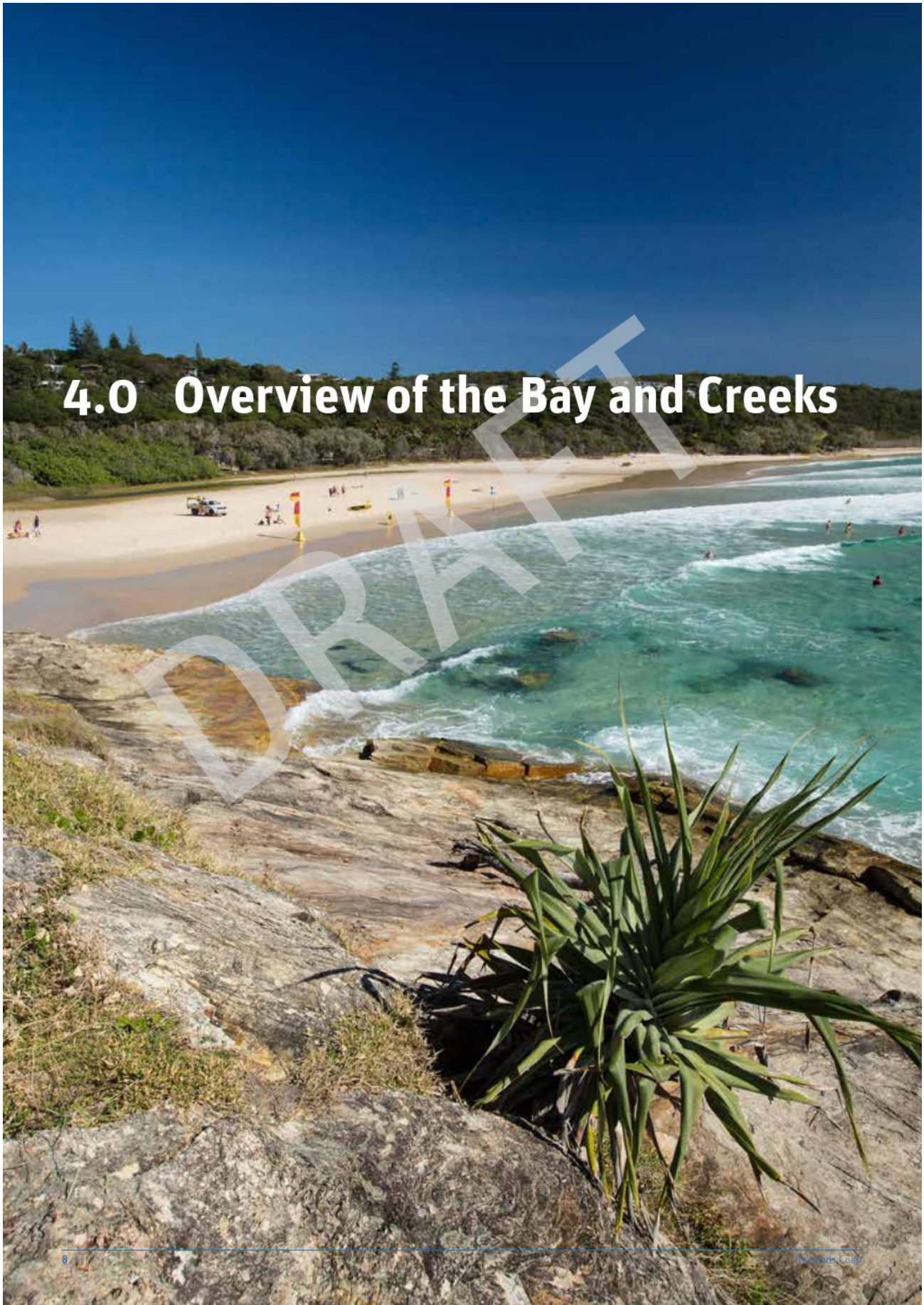


Figure 1. Environmental Plans

## 4.0 Overview of the Bay and Creeks



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14/06/2021



The Redland City Local Government Area (Redlands Coast) covers approximately 537 km<sup>2</sup> of land, 335 km of coastline and foreshore, and 525 km of waterways across 22 catchments. Our waterways and their discharge volumes and catchment areas are relatively small in size compared to many waterways in the nearby Brisbane and Logan-Albert River Catchments (Figure 1)

Nineteen of the mainland catchments flow directly to Moreton Bay and the other three catchments (California Creek, Native Dog Creek and Serpentine Creek) flow indirectly to Moreton Bay via the lower reach of the Logan River. Redlands Coast waterways have a range of flowing and non-flowing habitats, and are fringed by diverse riparian ecosystems that provide habitat for terrestrial flora and fauna. The larger waterways on the mainland have their headwaters in the Mount Cotton hills (230 metres above sea level).

North Stradbroke Island (*Minjerribah*) has many freshwater lakes (dune, perched and window lakes) and significant

groundwater dependent ecosystems, including complex networks of sedge dominated wetlands. Waterways on Coochiemudlo Island and the Southern Moreton Bay Islands comprise of intermittent, undefined drainage lines that generally flow to wetlands, foreshore areas and the bay (4).

There are no large rivers within Redlands Coast, although the lower Logan River forms a small part of the City's southern boundary.

Moreton Bay is bounded on its eastern side by the large sand islands of Minjerribah and Moreton (*Mulgumpin*), and the mainland coast on the western side. Large rivers (Brisbane, Logan and Pine) discharge to the bay from a combined catchment of approximately 22,000 km<sup>2</sup>. Moreton Bay is approximately 110 km long from north to south, of which Redlands Coast accounts for around 38 km. Moreton Bay is 35 km at its widest east to west (2).

Moreton Bay was declared a Marine Park in 1993 and is recognised internationally as a Ramsar Site (11).

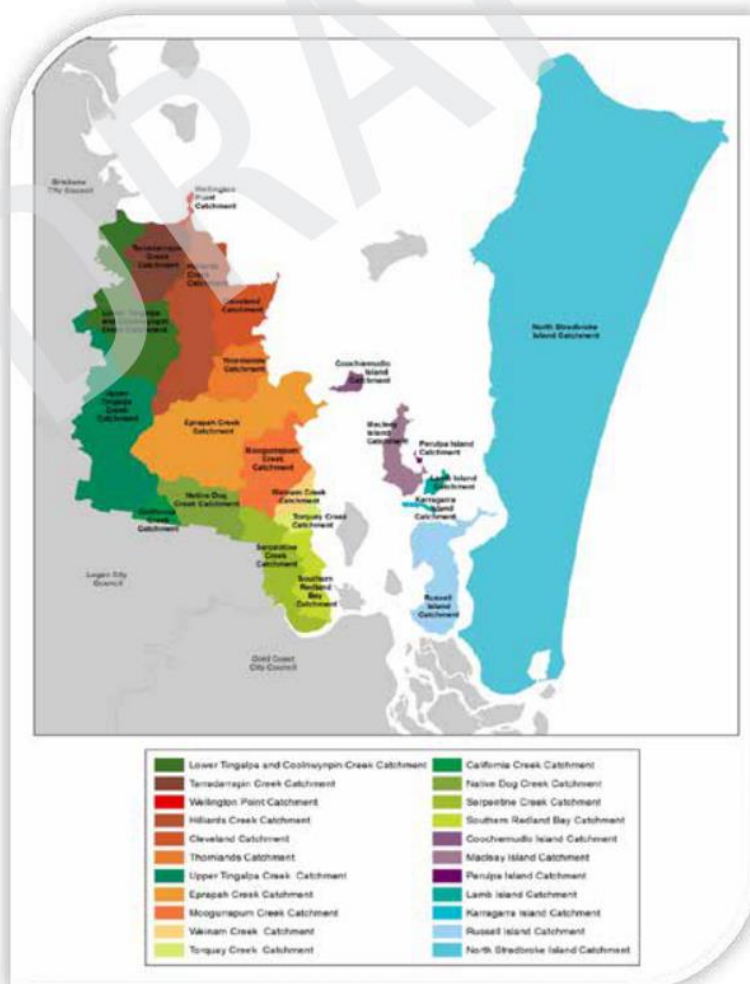


Figure 2: Redlands Coast Catchments

## 4.1 Values of our Bay and Creeks

Our waterways and the bay have important environmental, economic and social values, and these values underpin the lifestyle of residents of the Redlands Coast. These can include:

### Environmental

Carbon sequestration  
Ecosystem services  
Biodiversity  
Intrinsic value  
Flora and fauna  
Ecosystems complexity  
Natural resources  
Healthy habitat  
Corridors

Water quality  
Endangered threatened and vulnerable species  
Ecosystem richness  
Healthy bay and creeks  
Nutrient cycling  
Carbon cycling  
Buffering capacity  
Connectivity



### Social

Relaxation  
Lifestyle  
Recreation  
Amenity  
Sport and fitness  
Holiday destination  
aesthetic value  
Support community resilience  
Environmental learning

Opportunities for school based education  
Cultural learning  
Traditions  
Places of meeting  
Artefacts  
Indigenous history and cultural heritage  
Human health benefits

### Economic

Commercial fishing  
Water supply  
Industry  
Transportation  
Tourism  
Recreation  
Business  
Aquaculture

Eco-tourism  
Drainage / stormwater  
Flood mitigation  
Green assets  
Drinking water supply  
Infrastructure  
Capacity for drought



Figure 3: Bay and Creek Values

#### 4.1.1 Environmental Values

Our waterways and the bay support significant biodiversity resources, and provide a range of ecosystem services.

Aquatic biodiversity resources are supported by a variety of aquatic habitats, including coral reefs, wetlands (including seagrass, mangroves, and saltmarsh), riparian habitats, instream habitat, beach wrack, mud flats, sandy beaches and rocky shores. Redlands Coast has wetlands of national and international significance. These include the wetlands of Moreton Bay, Carbrook Wetland Aggregation and Minjerribah (11). A special feature of Minjerribah are the perched wetlands, which are considered rare globally (12).

The wetlands, creeks and estuaries of Redland Coast provide habitat for many significant and threatened species, such as the wallum froglet, water mouse, loggerhead turtle and Oxleyan pygmy perch (17). Ornate rainbowfish is a locally significant species that is known to have different colour morphs in different creek systems of the Redlands Coast (18).

Moreton Bay provides habitat for more than 1,000 species of marine wildlife including fish, sea turtles, humpback whales, dolphins, waterbirds, and several threatened species, such as grey nurse sharks and dugongs (12). It contains one of the most extensive intertidal areas of seagrass, mangroves and saltmarsh communities along the eastern coast of

Australia. Many of the significant wetland areas of Redlands Coast are recognised internationally within the Moreton Bay Ramsar Site. The Moreton Bay Ramsar site regularly supports about 40,000 waterbirds and over 250 species of birds, including at least 34 migratory shorebird species listed under the China and Japan Migratory Bird Agreements. The Moreton Bay Ramsar site takes in large portions of the bay, Minjerribah, Southern Moreton Bay Islands and the mainland (16)

Many of the 82 threatened species and 77 migratory species that listed as matters of National Environmental Significance under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* that are found in the Redlands Coast rely on the health of our waterways and bay .

Ecosystem services provided by our waterways and the Bay include fisheries resources, nutrient cycling, carbon storage and shoreline protection. These ecosystem services directly benefit our community's livelihoods through food security, protecting water quality, including drinking water quality, protecting shorelines from coastal erosion and mitigating the impacts of climate change. Marine ecosystems are described as blue carbon ecosystems, as they provide a natural way of reducing the impact of greenhouse gases on our atmosphere, through carbon sequestration (15).

**Carbon sequestration is the process of capturing and storing atmospheric carbon dioxide (17).**





#### 4.1.2 Economic Values

In addition to the indirect economic benefits our waterways and the bay provide via ecosystem services, our aquatic assets also provide a range of direct economic benefits.

Tourism is one of the key industry sectors of Redlands Coast and a key focus area for growth (9). Each year millions of visitors are attracted to the environmentally significant Moreton Bay, Minjerribah and Southern Moreton Bay Islands. Moreton Bay receives more domestic tourists each year than the Great Barrier Reef (4).

Moreton Bay is one of the most intensely used coastal systems in Australia and supports some of Queensland's most productive fisheries, providing a renewable resource for Indigenous, commercial, recreational and charter sectors (8). Moreton Bay contributes around \$7.56 billion to the South East Queensland economy each year (1).

#### 4.1.3 Social Values

Redlands Coast residents value the recreation opportunities provided by their local waterways, with high numbers of people indicating that waterways are a place of rest and relaxation (70%) or places for social interaction with friends and family (64%). 'Engaging in recreational activities in, or alongside, a local waterway at least once a month' was reported by 60% of the residents surveyed. The 2020 Annual Healthy Land and Water Report Card indicated that 66% of Redlands Coast residents surveyed were satisfied with the recreational and aesthetic values of their local waterways (10).

### 4.2 Historical and Current Land Use in Redlands Coast

The Quandamooka People are the traditional custodians of much of Redlands Coast. Council extends its acknowledgement of traditional custodians to the Danggan Balun (Five Rivers) People who are currently in the process of Native Title determination for areas that include parts

of Redlands Coast. Council recognises and respects the traditional custodians and their intrinsic connection to the lands and sea, along with their rich culture and heritage that dates back thousands of years. Indigenous people cultural activities include culturing oysters, mullet fishing and hunting dugong. These activities have occurred for centuries prior to European settlement and continue today.

Early Europeans developed horticulture, cropping and grazing on the productive red soils, and logged woodland areas (3). Commercial fisheries have operated in Moreton Bay since European settlement, and historical exploitation of some fisheries resulted in significant declines in the populations of whales, turtles and dugongs (32).

Over the past 70 years, there has been significant population growth in South East Queensland, including in the Redlands Coast (5). Substantial re-development of most of the catchments of Redlands Coast has resulted in rapid urbanisation converting former agricultural lands and bushland areas to residential areas (3). This is particularly evident in coastal areas, which are now heavily modified. Additionally, urban development has shortened and straightened some waterways (e.g. Ross Creek), and canal estates have been developed in the estuaries and inshore waters of some coastal catchments.

On the mainland, the south-western portion of the city is dominated by rural land uses, while the northern half and eastern coastal fringe are predominately urban. The range of rural land uses include horticulture, grazing and irrigated cropping (3), with most of the area's poultry farms located in the southern catchments (3). Quarrying and mining occurs in the headwaters of Tingalpa, Wallaby, Hilliards and Moogurrapum creeks (3).

Land uses of Coochiemudlo and the Southern Moreton Bay Islands (SMBI) - Macleay (*Jencoomercha*), Lamb (*Ngudooroo*), Karragarra (*Karragarra*) and Russell (*Canaipa*) Islands, mostly comprises urban development amongst bushland reserves (3). North Stradbroke Island (*Minjerribah*) has three townships, with the vast majority of island comprising areas of national parks and protected areas.

## 5.0 Current Condition

DRAFT



Bayland Creeks Plan 2011-2031

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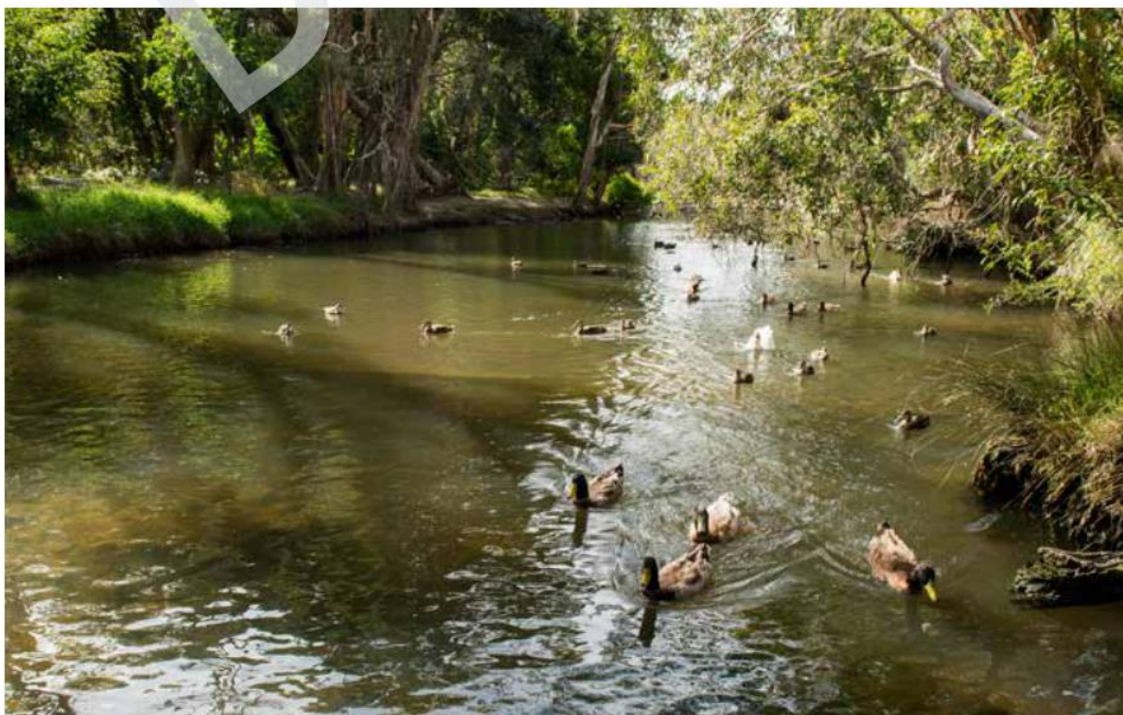
The condition of our waterways is monitored by Healthy Land and Water at a regional catchment level, and at a finer scale by Council over the last 10 years.

The annual waterways report cards for Redlands Coast have indicated that:

- ▶ The health of freshwater waterways has declined over time and is now generally poor, with the extent of freshwater wetlands in the Redlands Coast catchment also classified as poor. The monitoring data indicates that waterway health is subject to seasonal fluctuations (C to C+, depending on the time of year), and that loads of sediment and nutrients have increased over time, although these may be linked with periods of higher rainfall. Overall, freshwater fish communities have declined, macroinvertebrates have remained stable and ecological process have increased slightly, although slight improvements in water quality and fish community health were recorded at sites on Erapah Creek. The extent of streambank vegetation along creeks of Redlands Coast is good, and wetlands are stable. Currently 86% of streambanks in Redland City are vegetated (1).
- ▶ The water quality of estuarine reaches is fair, and the extent of wetland habitat (mangroves and saltmarshes) in the estuaries is excellent. These excellent condition estuarine habitats in the Redlands Coast are critical for maintaining the productive recreational and commercial fisheries the Redland's community relies on.

- ▶ The health of Moreton Bay is good overall, water quality is excellent and the extent of wetland habitats is excellent. The western and central bay have had notable improvement in ecological condition since 2015 (Figure 4).

The results of Council's waterway monitoring program indicates that there is considerable variability in water quality results across the catchments over time (i.e. high spatiotemporal variability), however many of the creeks within Redlands Coast are consistently nutrient rich, with total phosphorus, total nitrogen and ammonia levels typically exceeding the Queensland Water Quality Guidelines. High levels of nutrients can result in excessive algal growth, which in turn can block sunlight to aquatic plants, reducing photosynthesis and respiration which then may cause decreased concentrations of dissolved oxygen in the waterway. Low dissolved oxygen may then negatively impact fish and other aquatic wildlife (12). The impact pathways of land use development on water quality and habitat conditions are complex.





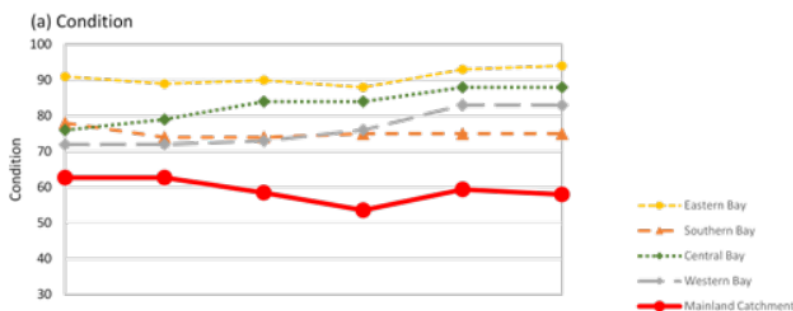


Figure 4. Healthy Land and Water overall waterway condition scores over time from Annual Report Cards (10).

### 5.1.1 What we know

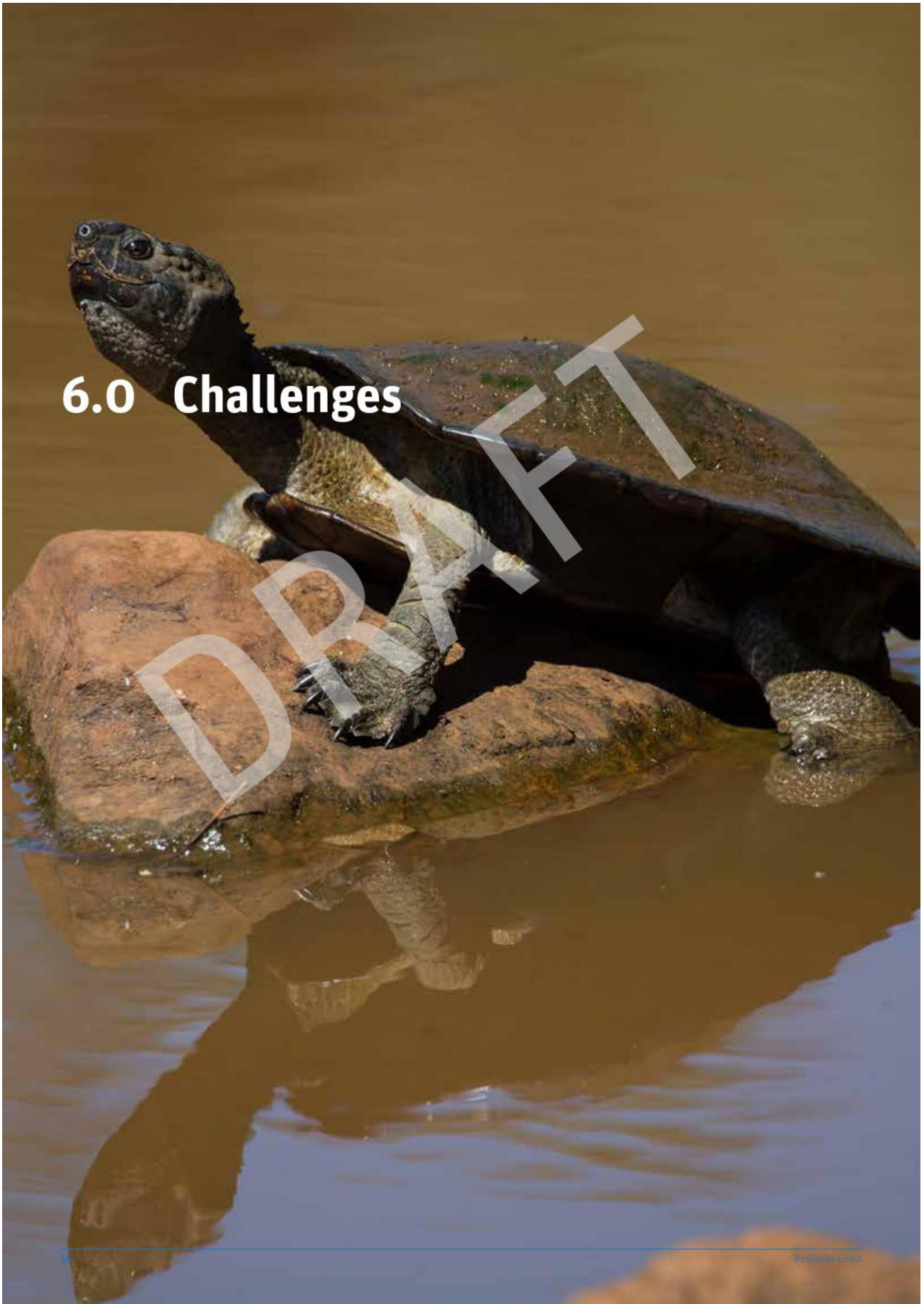
Council understands that:

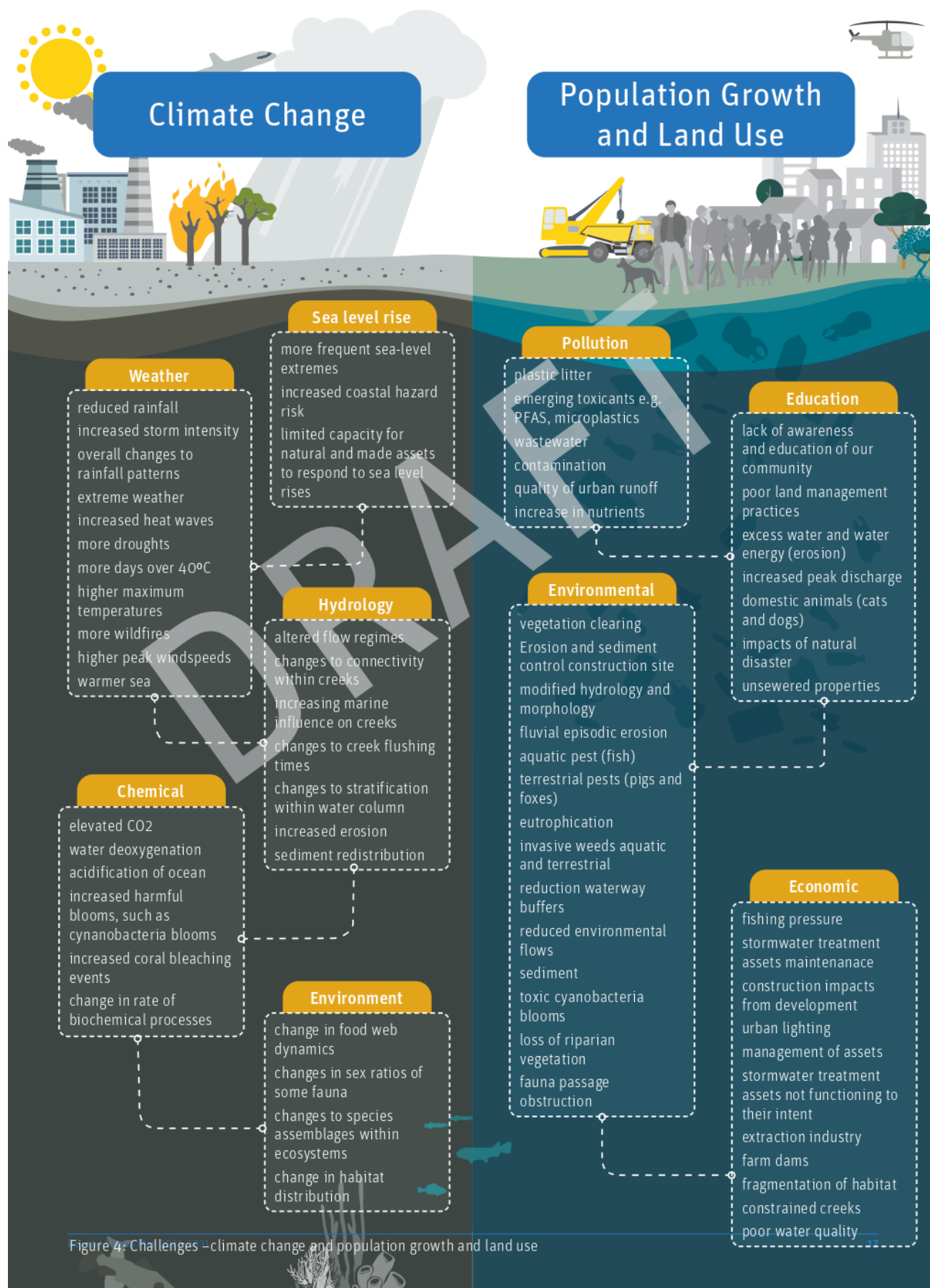
- ▶ Protecting existing riparian vegetation and wetlands from clearing and weed infestation is a key environmental management priority
- ▶ Best practice erosion and sediment control at urban construction sites is effective in controlling sediment transport waterways, but there are opportunities for continuing to improve compliance with best practice across all construction sites
- ▶ Water sensitive urban design (WSUD) is effective in improving water quality and flow patterns in urban waterways, and increased adoption of WSUD in existing and new urbane areas will benefit the health of waterways
- ▶ Aging stormwater assets are a challenge to manage and maintain, with some end of pipe structures contributing to scouring of waterways and causing creek bank instability
- ▶ Waterbodies in Council ownership are a challenge to manage with some requiring significant retrofitting, and many are without active management and maintenance schedules
- ▶ Filling gaps in riparian corridors is a cost effective solution for improving waterways health
- ▶ Our freshwater creeks have locally important populations of native fish species, however pest fish are an issue in most waterways
- ▶ Native fish species diversity and migration improve when barriers are removed, as evidenced by the success of the recent fishway installation on Hilliards Creek, however there are other known barriers across the city requiring fish passage solutions to improve the viability of our local freshwater fishes
- ▶ Council is responsible for multiple ecological, social and infrastructure assets that both influence and are influenced by the health of our bay and creeks, including:
  - ▶ Green assets such as waterways (creeks), waterbodies, wetlands, low lying land along the coast
  - ▶ Council land, especially bushland reserves, adjacent to the bay and waterways that helps maintain water quality and aquatic habitat condition, and also provides core habitat and habitat corridors for a wide range of terrestrial fauna species.
  - ▶ Council structures that are on, within, adjacent to waterways and the bay
  - ▶ Stormwater assets such as sediment basins, bioretention basins, end of pipe structures, gross pollutant traps, erosion sediment control pits and culverts

### Objectives of WSUD (5)

1. Protect natural systems
2. Integrate stormwater treatment into the landscape
3. Protect water quality
4. Reduce run-off and peak flows
5. Add value while minimising development costs

## 6.0 Challenges







The State of the Environment Report identifies climate change, changing land use, habitat fragmentation, habitat degradation, and invasive species as key pressures on Australia's environment (19). As a result, many Australian species and habitats are in decline, and it is thought that the rate of decline may accelerate if no intervention is made in the near future. Monitoring data indicates that freshwater fish in the Redlands Coast are declining, and some freshwater fish species in Redlands Coast have limited distributions at the local scale, with some found in only a few creek systems. Thus, these species are particularly susceptible to further impacts to waterway health at the local scale. Some of the main challenges to waterway health in the Redland Coast include waterway barriers, cleared and developed riparian zones, point source discharges, non-point source pollution and sediment from modified catchments, invasive species and altered flow regimes due to highly urbanised catchments. Increased nutrient and sediment loads have implications for the health of Moreton Bay, especially with respect to potential for algal and toxic cyanobacteria (blue-green algae) blooms.

Declining health of waterways and the bay also has implications for human health (e.g. quality of drinking water supplies, exposure to cyanobacteria blooms), lifestyle (e.g. recreation, liveability) and economic activities that rely on the health of our waterways and the bay (e.g. tourism, fisheries, aquaculture).

For the purpose of this Plan challenges have been placed into two broad categories:

- ▶ Impacts from population growth and land use change, and
- ▶ Climate change (29).



## 6.1 Impacts from Population Growth and Land Use Change

The Australian Bureau of Statistics estimated resident population for Redland City at the end of June 2020 was 160,331 persons. This is projected to increase to 192,431 by 2041 (Queensland Treasury 2018 – Medium series Projections). To accommodate the projected population growth an additional 17,200 new dwellings are estimated to be required within the City between 2016 and 2041 (Shaping SEQ – South East Queensland Regional Plan 2016-2041) (22) (31).

Construction of urban areas contributes significant volumes of sediment to the waterways. Approximately 1% of land area across South East Queensland is under construction at any given time, however construction sites contribute 40% of the sediment load that enters Moreton Bay (36). The 'business as usual' approach could see sediment loads increase by 60 to 100% over the next 20 years (35). This translates to an estimated 50,000 dump trucks (or 500,000 tonnes) of sediment entering South East Queensland waterways each year (34). The impacts of sediment directly, in addition to the numerous pollutants attached to sediment (e.g. nitrogen, phosphorus and heavy metals), mean that sediment is one of the most significant threats to waterway health in South East Queensland.

Various other pollutants associated with urban areas that significantly impact the waterways include, but are not limited to:

- ▶ nutrients, from sources such as wastewater and stormwater (wastewater treatment plants, septic tanks, fertilizer and animal wastes)
- ▶ synthetic chemicals (such as pesticides, herbicides, fungicides, pharmaceuticals, PFAS)
- ▶ heavy metals (lead, mercury, cadmium etc.)
- ▶ other persistent organic pollutants (petroleum hydrocarbons from road runoff and other sources etc.)
- ▶ microbiological pollutants (faecal pathogens)
- ▶ plastics, including microplastics
- ▶ a wide range of other hazardous substances (for example industrial products and solvents), and
- ▶ general litter.

Urban development significantly increases the amount of impervious land surface (e.g. roads, roofs, driveways, car parks) in developed catchments, which reduces the amount of rainfall that infiltrates soil throughout the catchment, and instead creates large volumes of stormwater runoff that create 'flashy' flows in waterways during storm events (i.e. short duration, high velocity flows). In contrast, where rainfall can infiltrate soil, water seeps more slowly to waterways as subsurface flows, creating longer duration and lower velocity flows in waterways. Thus, urban development significantly modifies the hydrology of urban waterways. Furthermore, the high velocity of flashy flows in urban

catchments means that they cause increased rates of erosion and can transport more sediment than more natural lower velocity flows. In Redlands Coast, upper catchment areas typically have lower proportion of urban development, and higher proportion of native vegetation cover, than lower catchment areas.

Channelisation (i.e. straightening, shortening and often concrete-lining) of waterways is an additional impact on urban waterways, resulting in modified hydrology and significantly impacted habitat. Direct modification to flows and habitat has also occurred with the infilling of wetlands, mangroves and saltmarsh habitats, particularly across lower Tingalpa, Coolnwynpin and Eprapah creeks. Canal estates have been constructed in some areas, such as Raby Bay, Sovereign Waters and Aquatic Paradise. However, mangroves are retained along many shorelines and in estuarine reaches of most waterways, including Tingalpa, Coolnwynpin and Eprapah creeks. Instream dams and weirs for water storage further modify flows in some waterways and create barriers to fish migration, with road crossings of waterways also having the potential to impact fish migration when crossings do not incorporate design features that enable fish passage. There are some 281 fauna barriers on Redlands Coast waterways on the mainland, which gives about 4.2 potential in-stream barriers per km<sup>2</sup> of Redlands Coast mainland (7). A review of fauna barriers identified that Redlands Coast has five of the top 50 barriers to fish passage across greater Brisbane (7).

Clearing of riparian vegetation changes light and thermal regimes of instream environments, which can facilitate excessive algal growth in the presence of high nutrient concentrations. Riparian vegetation contributes important components of instream aquatic habitats (e.g. leaves, fruits and branches, that contribute to food webs and habitat diversity), and buffers sediment and diffuse pollution sources; thus, cleared riparian vegetation impacts instream food webs and habitats, and ensures higher rates of transfer of sediment and pollutants to waterways compared to those with vegetated riparian zones.

Urban waterways with modified hydrology, modified channel structure, high pollution and sediment loads and cleared riparian vegetation enable pest fish (e.g. eastern Gambusia and Tilapia) to establish large populations. Pest fish can compete with, prey directly on juveniles and impact water quality and habitat quality, thereby exacerbating land use impacts on waterway health.

Impacts in rural environments include point and diffuse pollution and sediment sources, cleared riparian vegetation, stock access to waterways, instream weirs and farm dams through the catchment. Stock access to waterways cause trampling of banks and aquatic habitat, which can lead to decreases bank and bed stability and erosion. Farm dams intercept stormwater runoff that has the ultimate effect of reducing the overall volume of water available for stream flow; thus, farm dams can influence stream hydrology (especially when there are a large number of farm dams in a catchment). It is estimated that there are some 1400 artificial dams in Redlands Coast (6).



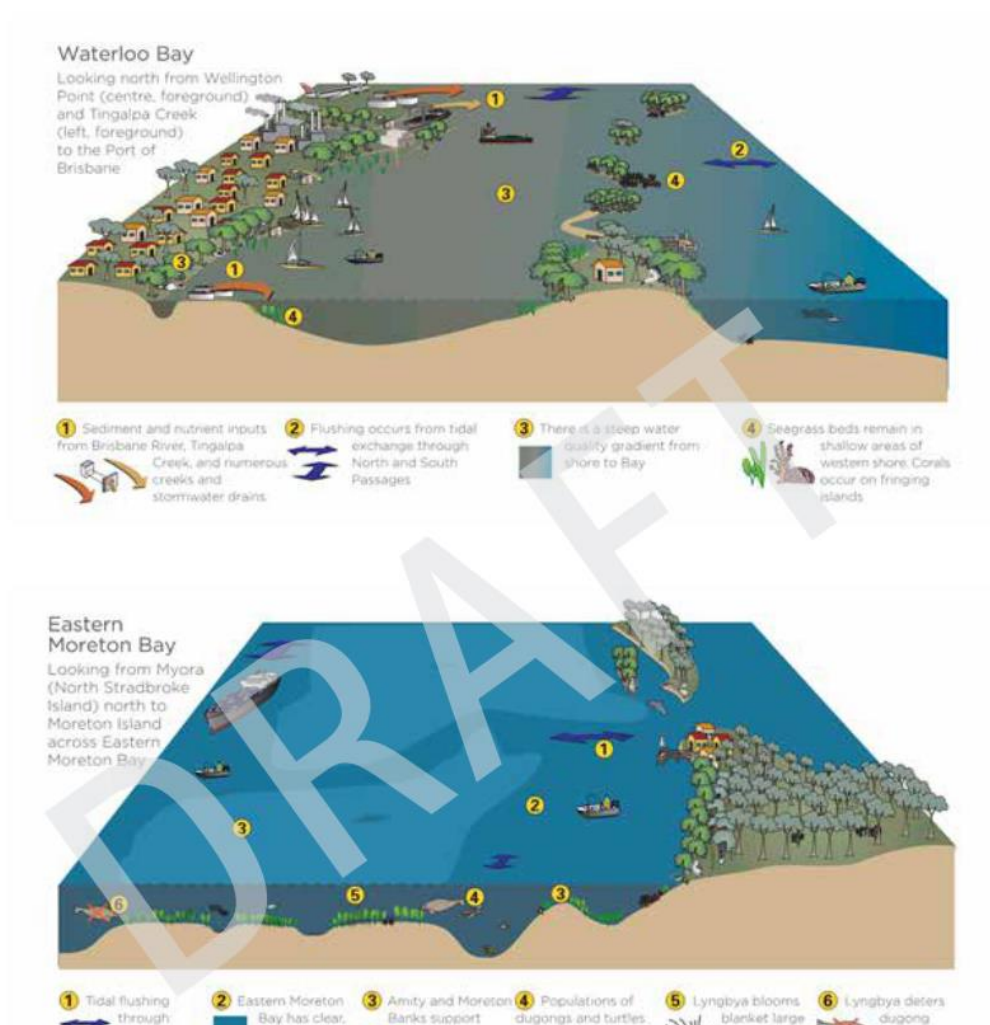


Figure 5: Simple conceptual model of areas of Moreton Bay including pressures.

Source: Healthy Land and Water 2014.

## 6.2 Climate Change

Climate change is caused by increased concentrations of greenhouse gases in the atmosphere, primarily from anthropogenic activities such as burning fossil fuels, deforestation, and farming. Australia faces significant environmental, economic and social impacts from climate change, and is one of the largest producers of carbon dioxide emissions relative to the rest of the world, with roughly four times the world average for emissions per capita. (42)

Climate change predictions indicate that the severity and frequency of extreme events may increase. South East Queensland has experienced some such extreme weather events, including heatwaves, droughts, floods, bushfires and severe storms (Figure 6, Appendix 3). In recent history, South East Queensland has experienced: the Millennium Drought (1995–2009), destructive cyclonic events (Yasi 2011, Oswald 2013, Ita 2014, ex-tropical cyclone Debbie 2017), and significant bush fires (Minjerribah 2014, 2018 and Russell Island 2017) (18).

Climate change is one of the most important factors linked to current declines in global biodiversity (31). The impact of climate change on aquatic systems are likely to be complex and relate to changes in thermal and hydrological regimes, with changing rainfall patterns influencing stream hydrology and rising mean sea level influencing the hydrology along

coasts and in estuaries. A range of water quality and ecological changes are likely to occur under new thermal and hydrological regimes, and impacts pathways will likely be complex, such as cascading impacts along food chains.

**In 2030, Brisbane's climate will be more like the climate of Bundaberg**

Migration (i.e. spatial movement) to one of the dominant strategies that ecosystems and species can be resilient and adapt to climate change. For example, fish may need to migrate across latitude or elevation, and coastal habitats may need to migrate inland. Key strategies for resilience to climate change by our key aquatic assets include maintain buffers around low lying coastal areas and minimising cumulative impacts to waterways (e.g. riparian vegetation to improve instream thermal regulation; remove waterway barriers to enable migration).

With timely and effective planning and interventions, climate risks can be better managed for increased resilience to climate change impacts by Redland Coast's waterways and Moreton Bay.





## 7.0 Focus on Recent Activity



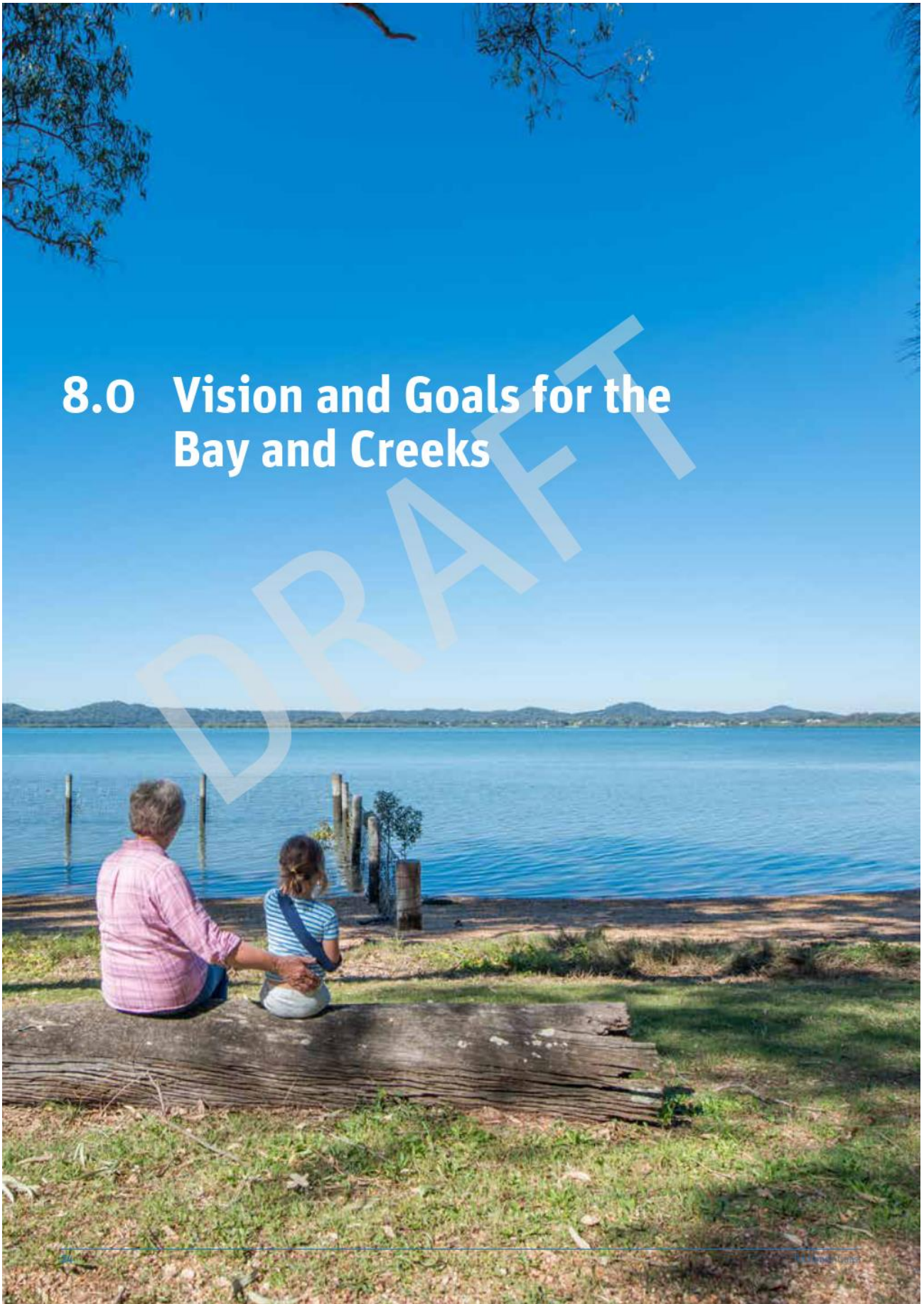
Council is committed to protecting, maintaining and restoring the ecological health and values of the creeks and bay. This is evident in the various activities and programs Council undertakes (Figure 6, Appendix 2).

While Council has invested significant resources in on ground activities to improve water quality and aquatic ecosystem health, significant opportunities still exist for Redlands Coast to protect and enhance the resilience of the waterways.



Figure 6. Examples of key Council programs that contribute to protecting and enhancing the value of Redlands Coast waterways and Moreton Bay. Refer to Appendix 2 for 2019/20 highlights.

## 8.0 Vision and Goals for the Bay and Creeks



As Redlands Coasts population grows and experiences a changing climate our creeks and Moreton Bay are likely to come under increasing pressure. Proactive management is needed to protect the environment and sustain environmental values and ecosystem services that our creek and the Bay provides to the community.

### Vision

Working together to protect and enhance the resilience of the creeks and Moreton Bay for a sustainable future.

**Resilience is the ability of the environment to withstand or recover from a shock or disturbance.**

### Goals

Four goals have been identified to achieve the vision of protecting and enhancing resilience of the creeks and Moreton Bay.

#### Decisions Based on Science

Strengthen science based knowledge of the effects of climate change and population growth on the health and resilience of the waterways to ensure management actions meet current and future needs.

#### Protect Creek and Bay Assets

Minimise harm to the creeks and bay from pollution, by prioritising the quality of urban runoff, management of stormwater and natural assets, and protecting existing instream, wetland and creek bank vegetated ecosystems.

#### Restore Degraded Systems

Restore resilience of the creeks and the Bay by improving habitats, biodiversity, connectivity and natural flows through corrective remediation works including actively eroding areas.

#### Community Making a Difference

Increase community stewardship and connection to the bay and creeks, through education and partnerships.

Working together to protect and enhance the resilience of the creeks and Moreton Bay for a sustainable future.

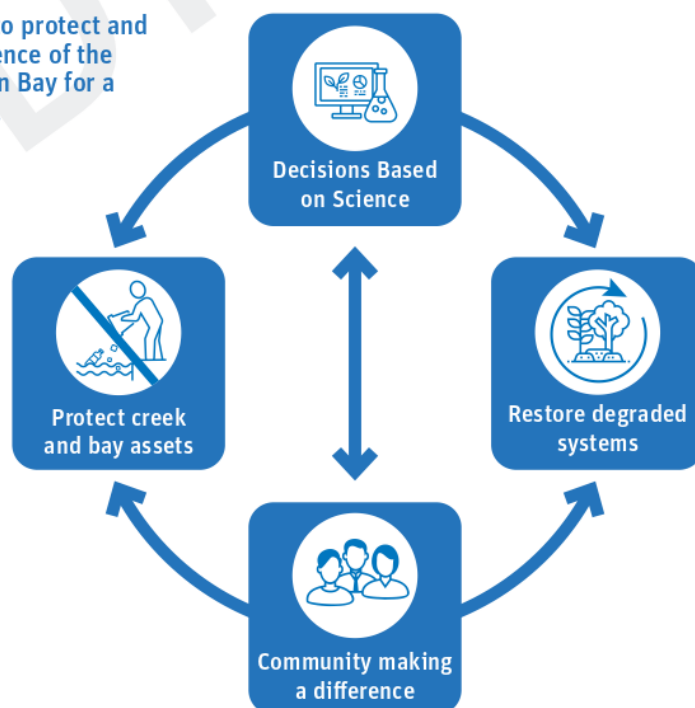


Figure 7: Goals



## 9.0 Action Plan





The supporting Redlands Coast Bay and Creeks Action Plan lists the key actions and performance measures under the key goals:

- ▶ Decisions based on Science
- ▶ Protect Creeks and Bay Assets
- ▶ Restore Degraded Systems
- ▶ Community Making a Difference

The Plan and supplementary Action Plan align with and operationalises Council's implementation of the Lower Brisbane-Redlands Coastal Catchment Action Plan (CAP) that Council endorsed in 2018.

Where conflict exists between proposed management actions, the cost benefit of the of proposed volume reduction of a pollutant by the proposed action (where known or easily calculated) and the significance of the receiving environment should be used to decide between actions. When considering between the potential pollutant types, the impact of that pollutant type should also be considered.

Refer to the supporting Redlands Coasts Bay and Creeks Action Plan 2021 – 2026 for the detailed prioritised actions.

### Monitoring of Action Plan Implementation

The implementation of the actions in the plan will be reviewed annually. The review will assess the success of each action based on the 'Performance Measures' listed in the Bay and Creek Action Plan. Information from each of the Council areas and external partners will be collated for the annual review.

If available, updated mapping and other environmental data sets will be used to monitor changes to the values, attributes and threats of the creek and Bay.

Funding of the priority actions is critical for their success and the performance of this plan. Delivery of the action plan will be funded through a combination of business as usual, general revenue, environment separate charge, reserve funds and resources obtained through external funding sources such as Resilient Rivers Initiative, City Deals.

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## 11.0 Appendix 1 – Relevant Legislation

Relevant legislation to the management the waterways and Moreton Bay. Source for International, Commonwealth and State legislation text summarised from McGrath (2018)

### International

- ▶ Biodiversity Convention 1992
- ▶ Ramsar Convention on Wetlands 1971
- ▶ United Nation Framework Convention on Climate Change 1992
- ▶ United Nations Convention on the Law of the Sea 1982
- ▶ Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention)
- ▶ Bilateral migratory bird agreements
  - JAMBA, CAMBA and ROKAMBA
- ▶ Agreement on the Conservation of Albatrosses and Petrels (ACAP)
- ▶ East Asian - Australasian Flyway Partnership

### Commonwealth

- ▶ *Environment Protection and Biodiversity Conservation Act 1999*

### Queensland Government

- ▶ *Local Government Act 2009*
- ▶ *Planning Act 2016*
- ▶ State Planning Policy—Water Quality
- ▶ *Environmental Protection Act 1994*
- ▶ Environmental Protection Policy
  - *Environmental Protection (Water and Wetland Biodiversity) Policy 2019.*
  - *Environmental Protection (Water) Policy 2009 – Water Quality Objectives and Environmental Values*

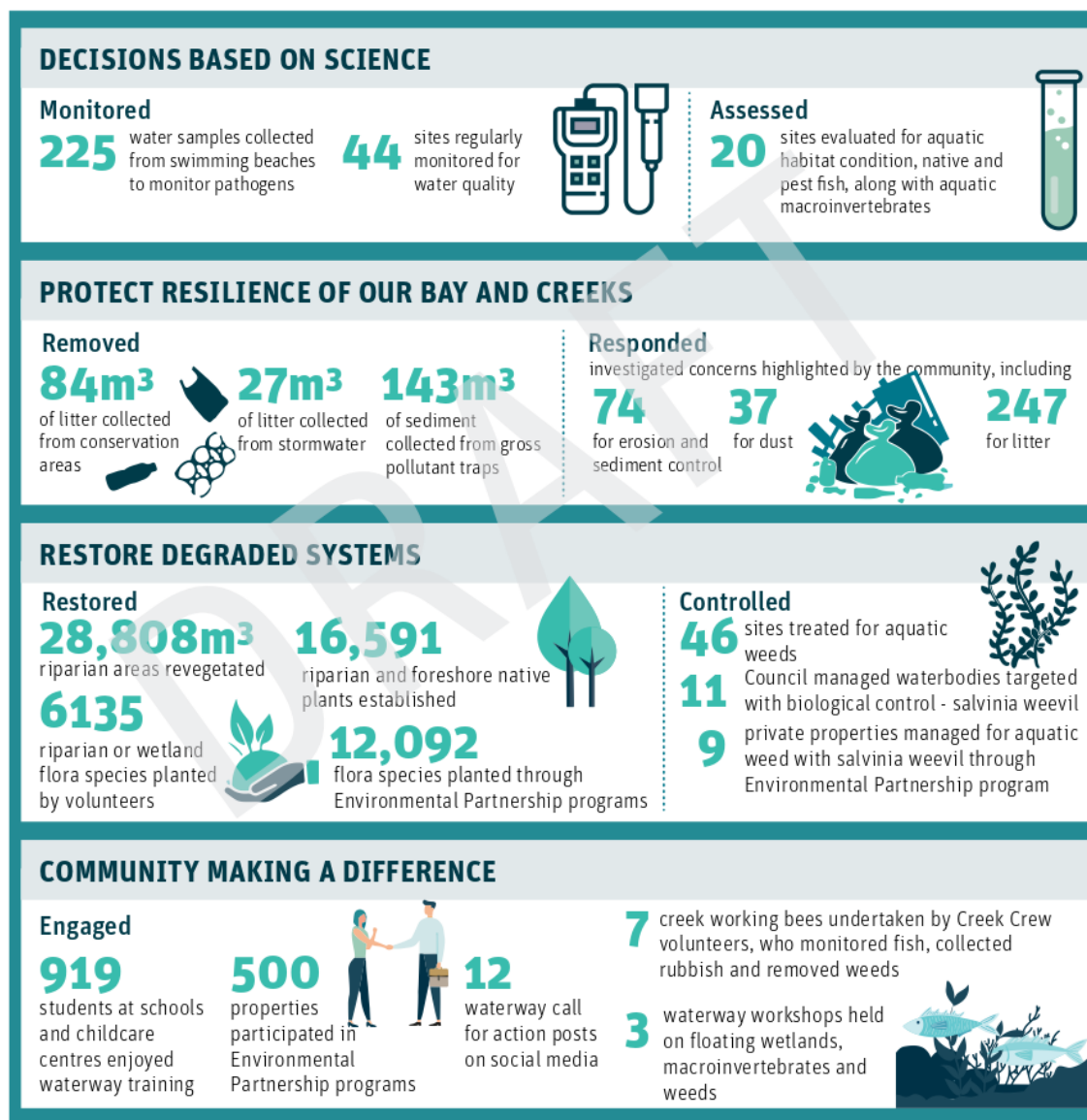
- ▶ *Water Act 2000*
- ▶ *Fisheries Act 1994 - Declared Fish Habitat Areas, for any development that involves impacts on marine plants, declared Fish Habitat Areas*
  - Queensland Sustainable Fisheries Strategy (2017–27)
- ▶ *Marine Parks Act 2004*
  - Marine Parks Regulation 2017
  - Marine Parks (Moreton Bay) Zoning Plan 2019
- ▶ *Coastal Protection and Management Act 1995*
- ▶ *Environmental Offsets Act 2014*
- ▶ *Nature Conservation Act 1992*
- ▶ *Vegetation Management Act 1999*
- ▶ *Biosecurity Act 2014*
- ▶ *Soil Conservation Act 1986*
- ▶ *Queensland Heritage Act 1992*
- ▶ *Native Title Act 1993*
- ▶ *Aboriginal Cultural Heritage Act 2003*
- ▶ *North Stradbroke Island Protection and Sustainability Act (2011)*
- ▶ *Economic Development Act 2012*
- ▶ *South East Queensland Water (Distribution and Retail Restructuring) Act 2009*
- ▶ *Water Supply (Safety and Reliability) Act 2008*
- ▶ *Waste Reduction and Recycling Act 2011*

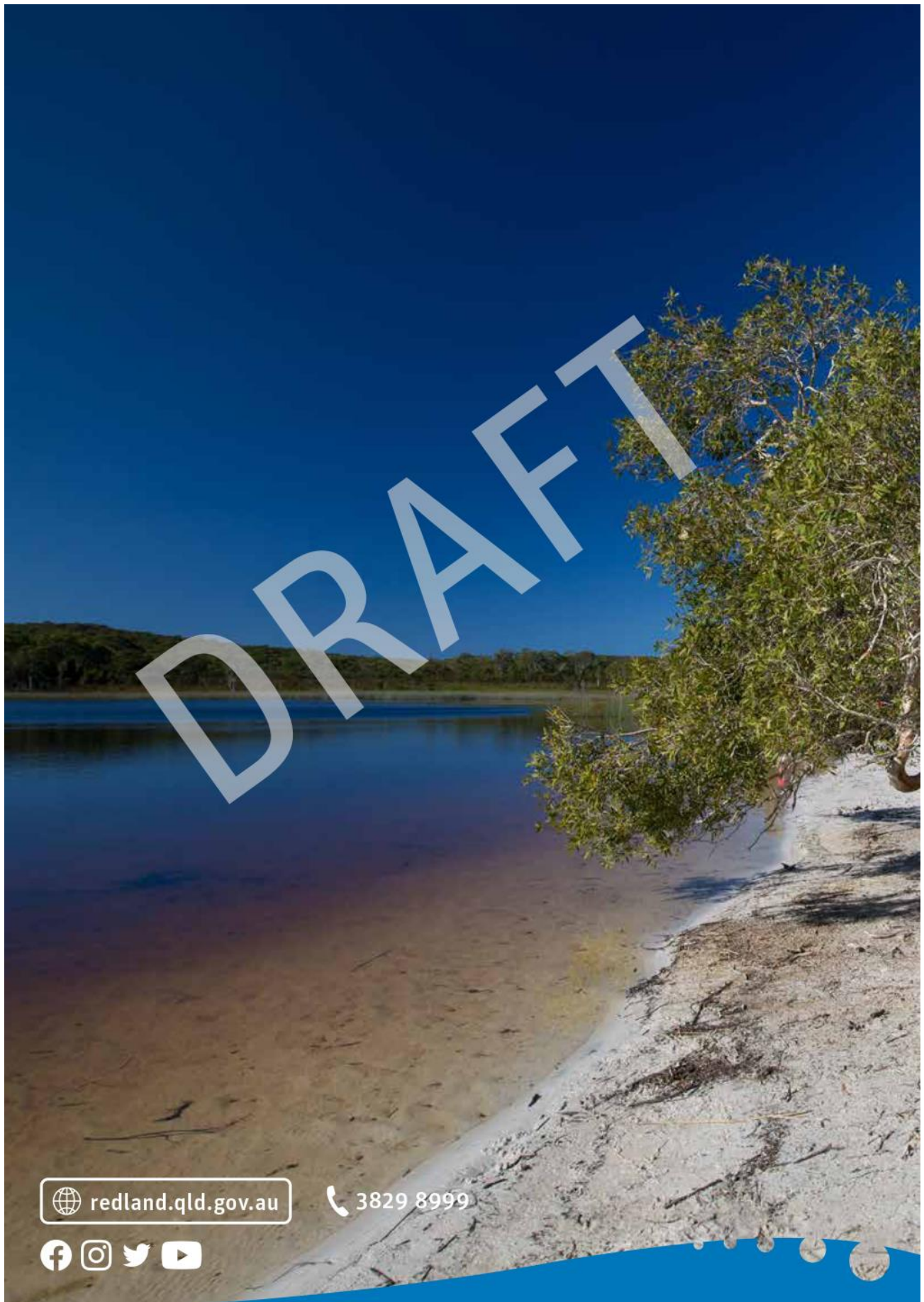
### Regional

- ▶ Managing Natural Assets for a Prosperous SEQ 2014-2031
- ▶ Shaping SEQ - South East Queensland Regional Plan 2017
- ▶ SEQ Water Strategy 2010



## 12.0 Appendix 2 – 2019–2020 Bay and Creek Activity Highlights









Redlands Coast

# Bay and Creeks Plan Action Plan 2021–2026



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## Background

This Action Plan outlines how Council will continue to protect and enhance the resilience of the creeks and bay. High priority actions have been identified for the next five years for successful implementation of the Redlands Coast Bay and Creeks Plan.

This Action Plan was developed in consultation with internal stakeholders. An internal implementation guide has been developed for the delivery of actions internal to Council.

The Plan and supplementary Action Plan align with and operationalises Council's implementation of the Lower Brisbane-Redlands Coastal Catchment Action Plan (CAP) that Council endorsed in 2018.

Managing our waterways to provide the best possible mitigations from past, present and future impacts will be a complex process that will require cross-collaboration by all stakeholders.

All actions that are implemented under this plan must:

- Follow at a minimum, Best Management Practices (BMP) for all on-ground works;
- Take into consideration project timing and costs;
- Ensure appropriate approvals and permits are in place;
- Follow all organisational codes, procedures and policies; and

- Comply with all legislation, such as the *Environmental Protection Act 1994* (including meeting General Environmental Duty, section 44OZG and the Duty to Notify) and *Biosecurity Act 2014* (including General Biosecurity Obligation).

The progress of the implementation of these actions will be reported on each year. The success of each action is to be assessed based on the 'Performance Measures' outlined.

To guide adaptive management, performance indicators to evaluate action success will be developed and monitored for all on ground projects. During implementation of the Action Plan, emphasis should be placed on collaboration, partnerships, knowledge sharing and capacity building to complement and add value to existing plans, policies and programs. This is in line with the Lower Brisbane-Redlands Coastal Catchment Action Plan 2018.

Actions are subject to funding and resourcing and are not limited to the pathway outlined in the Implementation guide. Many of the actions have been selected based on meeting multiple goals of the plan.



## Stakeholders, Acronyms and Definitions

Table 1. Redland City Council departments directly involved in waterway management.

Group	Unit or Team
Business Innovation and Development	
City Assets	Marine Infrastructure Asset Management
City Assets	Waste Infrastructure Asset Management
City Assets	Water and Wastewater Infrastructure
City Operations	Parks and Conservation Services
City Operations	Waste Operations
City Operations	Roads, Drainage and Marine Infrastructure
City Planning and Assessment	Engineering and Environment
City Planning and Assessment	Strategic Planning
City Water	Wastewater Operations
Communication, Engagement and Tourism	
Corporate Governance	
Corporate Services	
Corporate Strategy and Performance	
Environment and Regulation	Compliance Services
Environment and Regulation	Development Control
Environment and Regulation	Environment and Regulation
Environment and Regulation	Health and Environment
General Counsel	Risk Liability Services
People Development	Learning and Development
Project Delivery	

Acronym	Other stakeholders
AMCS	Australian Marine Conservation Society
	Australia New Guinea Fishes Association
BIC	Bay Island Conservation Inc.
BCC	Brisbane City Council
	Coochiemudlo Island Coastcare Inc.
	Eprapah Landcare
	CSIRO Water Sensitive Cities
HLW	Healthy Land and Water
LCC	Logan City Council
	Landcare Australia
	Mangrove Watch
	Moreton Bay Coast Care
	Moreton Bay Environmental Alliance
	Moreton Bay Foundation
	Private landholders and business (individuals and associations)
QYAC	Quandamooka Yoolooburrabee Aboriginal Corporation
DAF	Queensland Government Department of Agricultural and Fisheries
DES	Queensland Government Department of Environment and Science
NPRSR	Queensland Government Department of National Parks, Recreation, Sport and Racing
DNRM	Queensland Government Department of Natural Resources and Mines (Unallocated State Land)
QWSG	Queensland Wader Study Group
	Recreation organisations and associations, e.g. OzFish

Acronym	Other stakeholders
	Seagrass watch
	Moreton Bay Ramsar Network
	Reef Check
SEQW	SEQ Water
	SEQ Water By Design Steering Committee
	SEQ Monitoring and Evaluation Steering Committee
	SMBI Coastcare
	Underwater Research Group of Queensland
	Universities and associated research organisations
	WetlandCare Australia
	Wildlife Queensland Coastal Citizen Science

### Indicative Costs (per annum)\*

BAU	Business as Usual (within existing resources, officer time and budgets)
Low	Below \$10,000
Medium	\$10,000 - \$100,000
High	Over \$ 100,000
FCD	Future costs to be determined
* Subject to budget consideration and Portfolio Management Office processes	

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Definitions	
<b>Blue carbon</b>	Carbon captured by the world's tidal and marine ecosystems. Natural way of reducing the impact of greenhouse gases on our atmosphere, through sequestration (or taking in) of carbon.
<b>Carbon and nutrient trading</b>	Market based approach to lowering greenhouse emissions (carbon) or releases of nutrients.
<b>Offsets</b>	<p><b>Point Source Water Quality Offsets</b> As defined in the latest Department of Environment, Point Source Water Quality Offsets Policy. An existing or potentially new environmental authority (EA) holders under the Environmental Protection Act 1994 (EP Act) can offset the water quality impacts of wastewater discharge to receiving waters.</p> <p><b>Environmental Offset</b> As defined in the Environmental Offsets Act 2014. An Environmental Offset compensates for unavoidable impacts on significant environmental matters, (e.g. valuable species and ecosystems) on one site, by securing land at another site, and managing that land over a period of time, to replace those significant environmental matters which were lost.</p>
<b>Off-site solutions</b>	<p><b>Off-site stormwater water quality management solutions</b> As defined in the latest Department of Environment, State Planning Policy State Interest Water Quality Policy 5 (b)--Off-site stormwater quality management. Off-site solutions provide flexible options to achieve the State Planning Policy, State Interest Water Quality for the post-construction phase stormwater management design objectives, in-lieu of on-site compliance for stormwater quality.</p>



Bay and Creeks Action Plan 2021–2026 5





# Decisions Based on Science

*Outcome: Strengthen science based knowledge of the effects of population growth and climate change on the health and resilience of the waterways to ensure management actions meet current and future needs.*

One of the greatest challenges is to understand how a changing climate and growing population will affect the creeks and Moreton Bay. Future management actions need to allow for both systematic changes and natural fluctuations.

The primary emphasis of this objective is to ensure we are planning for the future in a strategic way, monitoring the trends, undertaking research, using science and innovation to drive coordinated, strategic and resourced management actions. This ensures that prioritised actions will provide the most value for time and money

Strategic research and monitoring of conditions and trends will be undertaken for the early identification of issues, to trigger and drive actions, inform ongoing planning, and to evaluate progress of our management actions. This will allow for adaptive management principles to be adhered to. Council will also look for innovation and partnerships to leverage resources for providing optimal outcomes for our community.



Table 1. Decisions based on science.

Priority Outcome	Action number	Action	Performance measures	Timeframe	Responsibility	Partners	Cost estimate
<b>Innovative opportunities and partnerships</b> Seek and support innovative opportunities and partnerships.	<b>1</b>	<b>Planning stage</b>					
		Investigate opportunities and partnerships that drive innovative approaches to restoration and monitoring.	A detailed and costed report identifying potential partnerships and opportunities.	Short	EEU	All Stakeholders	Low
		Investigate opportunities and challenges associated with transitioning in the direction of becoming a Water Sensitive City.	A detailed and costed report identifying opportunities and challenges into transitioning into a Water Sensitive City.	Medium	EEU	All Stakeholders	Medium
		<b>Implementation stage</b>					
		Networks, partnerships and collaboration with other local governments, industry bodies and other relevant agencies that contribute to ongoing improvements and regional initiatives have been established, maintained or enhanced.	Number of collaborative projects undertaken and meetings attended per year.	Ongoing	EEU	All Stakeholders	FCD
		If supported, commence transition to Water Sensitive City.	Annual progress report of the transition to a Water Sensitive City.	Long	TBD	All Stakeholders	FCD
<b>Targeted Monitoring Program</b> Monitoring programs are undertaken that align with Council's current and future needs.	<b>2</b>	<b>Planning stage</b>					
		Review of monitoring program (eg water quality, aquatic habitat) including communication and data storage is undertaken to ensure program aligns with Council's current and future needs.	A report that details the finding of the audit and fully costed prioritised recommendations for the future monitoring programs.	Short	EEU, WWIG, MIAMU	ERG, WWIG, WWOG, CIG, COG, CPAG	Medium
		<b>Implementation stage</b>					
		Run the Annual Monitoring program based on monitoring review recommendations.	Annual report of the findings of the monitoring program and recommendations from monitoring program.	Ongoing	EEU, WWIG, MIAMU	ERG, WWIG, WWOG, CIG, COG, CPAG	FCD
<b>Research</b> Targeted research and/or modelling programs are undertaken to guide future management actions.	<b>3</b>	<b>Planning stage</b>					
		Review existing research and/or modelling programs to identify knowledge gaps to guide future research.	Detailed report identifying and prioritising research gaps.	Short	EEU, WWIG	ERG, WWIG, WWOG, CIG, COG, CPAG	Medium
		<b>Implementation stage</b>					
		Undertake priority research based on gap analysis report.	Number of priority research projects undertaken to fill knowledge gaps.	Medium	EEU	ERG, WWIG, WWOG, CIG, COG, CPAG	FCD

Priority Outcome	Action number	Action	Performance measures	Timeframe	Responsibility	Partners	Cost estimate
<b>Stormwater solutions</b> Deliver innovative sustainable stormwater solutions and maintain existing stormwater quality treatment infrastructure.	<b>4</b>	<b>Planning stage</b>					
		Investigate stormwater retrofit locations.	A detailed costed report identifying and prioritising stormwater retrofit locations.	Medium	EEU	CIG, COG, PDG	Medium
		Investigate opportunities to develop innovative stormwater solutions.	A detailed costed report identifying and prioritising stormwater retrofit locations.	Medium	CIG	EEU, COG, PDG	Medium
		Review current state and investigate opportunities to obtain greater outcomes through Water Sensitive Urban Design (WSUD).	A detailed report that details the finding of the WSUD review and fully costed prioritised opportunities.	Medium	CPAG	ERG, COG, CIP, PDG	Medium
		<b>Implementation stage</b>					
		Retrofitting has occurred at the identified at highest priority locations.	Number of locations retrofitted per year.	Long	CIG	CPAG, EEU, RDMU	FCD
		Priority project opportunities identified in planning stage have been implemented.	Number of stormwater solutions projects finalised per year.	Long	CIG	CPAG, EEU, RDMU	FCD
<b>Adaptive Management</b>	<b>5</b>	Annual review of Action Plan to evaluate success against goals, actions and performance measures.	Annual progress of actions incorporated into Operational Plan reporting.	Ongoing	EEU	All stakeholders	BAU



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# Protect Creeks and Bay Assets

*Objective: Minimise harm to the creeks and bay from pollution, by prioritising the quality of urban runoff, management of stormwater and natural assets, and protecting existing instream, wetland and creek bank vegetated ecosystems.*

The resilience of our creeks and the bay will increase by minimising and mitigating the processes that are threatening and degrading their values and ecosystems services. The more resilient our systems are, the greater the likelihood that they can adapt and respond to further pressures.

The principal focus of this goal is to address the impacts of stormwater runoff on our waterways. This includes erosion and sediment control impacts as a result of construction, and litter.

Minimising pollution by best practice management of planned and existing assets is a key focus for minimising some of these threatening processes to our waterways. These assets includes stormwater assets and wastewater treatment infrastructure.

Water sensitive urban design (WSUD) will continue to be incorporated into urban development, with a drive for ongoing review and improvements of the current approach. This includes ongoing review of effectiveness and support uptake of design innovation.



Table 2. Protect Creeks and Bay assets

Priority Outcome	Action number	Action	Performance measures	Timeframe	Responsibility	Partners	Cost estimate
<b>Best practice operations</b> Implement best practice environmental management on all Council sites and for all Council works.	6	<b>Planning stage</b>					
		A review of risk has been undertaken of the current state of Council's operations.	A detailed risk assessment report with recommended mitigation options.	Medium	EEU	RLSU, HEU, WWIG	Medium
		Based on outcomes from the Risk Assessment Report investigate innovative solutions to improve waterways outcomes.	A detailed and costed report prioritising innovative solutions recommendations.	Medium	HEU, WWIG	RLSU	FCD
		Based on outcomes from Risk Assessment Report investigate priority improvement projects.	A detailed and costed report prioritising improvement projects/processes.	Medium	All operational stakeholders		Medium
		<b>Implementation stage</b>					
		Where risks/gaps have been identified, processes or procedures have been developed to manage risk.	Number of plans and procedures created or updated.	Medium	All operational stakeholders		BAU - Low
		Development of an erosion and sediment control /surface water runoff procedure for Council works has been developed, along with site specific plans for high risk sites and activities.	Number of Erosion and Sediment Control/Surface Water Procedure and site specific plans completed.	Medium	HEU, WWIG	All operational stakeholders	Medium
		Deliver priority improvement projects based on Risk Assessment Report.	Number of projects completed.	Medium - Ongoing	All operational stakeholders		TBD
<b>Best practice asset management</b> Implement best practice asset management.	7	Improved communication between Council officers.	One Team Environmental Steering Committee has met quarterly.	Ongoing	HEU	All operational stakeholders	Medium
		<b>Planning stage</b>					
		Undertake review of all relevant asset classes.	A detailed report detailing findings and recommendations.	Medium	EEU, AMU	RLSU, ERG	Medium
		Development of waterways related maintenance programs to strategically plan and prioritise key locations.	Detailed maintenance program approved.	Medium	COG	EEU, CIG, CPAG	Medium
		<b>Implementation stage</b>					
		Priority opportunities that have been identified during planning stage have been presented for future capital or operational works budgets.	Number of successful capital or operational works budgets bids per year.	Long	All operational stakeholders		FCD
		Asset maintenance programs have occurred in a strategically planned manner.	Asset maintenance programs have occurred in a strategically planned manner.	Long	All operational stakeholders		FCD

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Priority Outcome	Action number	Action	Performance measures	Timeframe	Responsibility	Partners	Cost estimate
<b>Develop internal knowledge</b> Increase education of internal staff and contractors in applying best practice management in all operational programs.	<b>8</b>	<b>Planning stage</b>					
		Undertake training based gap analysis for Council officers informed by risk assessment associated with operational, regulatory and assessment roles.	Detailed report identifying training requirements.	Short	HEU, WWIG	All Stakeholders	BAU
		<b>Implementation stage</b>					
		Training has been developed or made available based on training gap analysis.	Number of identified officers completed training modules.	Medium	HEU, WWIG	All Stakeholders	FCD
<b>Assessment and compliance</b> Ensure legislative obligations are met by industry through the approval assessment and compliance processes.	<b>9</b>	Increase education of internal staff and contractors in applying best practice management in all operational programs.	Awareness training has been incorporated into staff inductions and within induction handbook.	Medium	PDevG, HEU	All Stakeholders	Low
		<b>Planning stage</b>					
		Establish Urban stormwater/erosion and sediment control Working Group to: • Drive continual improvement • Identify legislative changes and • Undertake risk reviews of activities.	Number of working group meetings and risk reviews undertaken per year.	Short - ongoing	EEU	CPAG, COG, RLSU, CIG	BAU
		Risk assessment has been undertaken to identify gaps, barriers and opportunities in current assessment and compliance processes and tools.	A detailed report identifying gaps, barriers and opportunities in current assessment and compliance processes and tools.	Short	CPAG, DCU, HEU	CPAG, COG, RLSU, CIG	Medium
		Workshop with key stakeholders to brainstorm opportunities to encourage greater ownership of outcomes, such as such as erosion and sediment control by industry.	A report detailing opportunities to educate and encourage industry to achieve legislative outcomes.	Medium	EEU	CPAG, ERG, CIG	BAU
		<b>Implementation stage</b>					
		Key procedures and work instructions have been reviewed when key amendments have occurred to legislation, policy, planning tools or best practice.	Number of updates per year.	Ongoing	DCU, CPAG, HEU, CSU	ERG, CPAG	BAU

Priority Outcome	Action number	Action	Performance measures	Timeframe	Responsibility	Partners	Cost estimate
<b>Biosecurity</b> Undertake biosecurity management to enhance the assemblage of native species.	<b>10</b>	<b>Planning stage</b>					
		Develop a pest fish monitoring and maintenance program.	A fully costed monitoring program developed.	Medium	EEU	WWIG	Low
		Research and develop a community education and engagement program.	A detailed and costed report of opportunities and recommendations for the program.	Short	EEU, CSU	Biosecurity Working Group	Low
		Review latest trends and innovative solutions for ongoing management of biosecurity.	Detailed and costed report identifying innovative solutions for biosecurity management.	Medium	EEU, CSU, PCSU	Biosecurity Working Group	Low
		<b>Implementation stage</b>					
		Commence Pest Monitoring program .	Number of monitoring and associated management actions completed.	Long	EEU, PCSU	EEU, PCSU, CIG	
<b>Offsets and off-site solutions</b> Review, develop and implement framework to manage offset and off-site solutions.	<b>11</b>	Deliver solutions identified in the planning report.	Number of projects delivered.	Medium	EEU, CSU	Biosecurity Working Group	FCD
		<b>Planning stage</b>					
		Review offsets and off-site solutions framework to manage offsets/off-site solutions.	Detailed and costed frameworks and associated recommendations to manage offsets/off-site options.	Medium	EEU, WWIG	CPAG, ERG, CIG, CSPG, COG	Medium
		<b>Implementation stage</b>					
		If approved, undertake recommendations of proposed offsets/off-site framework.	Number of projects undertaken per year.	Medium	TBD		FCD



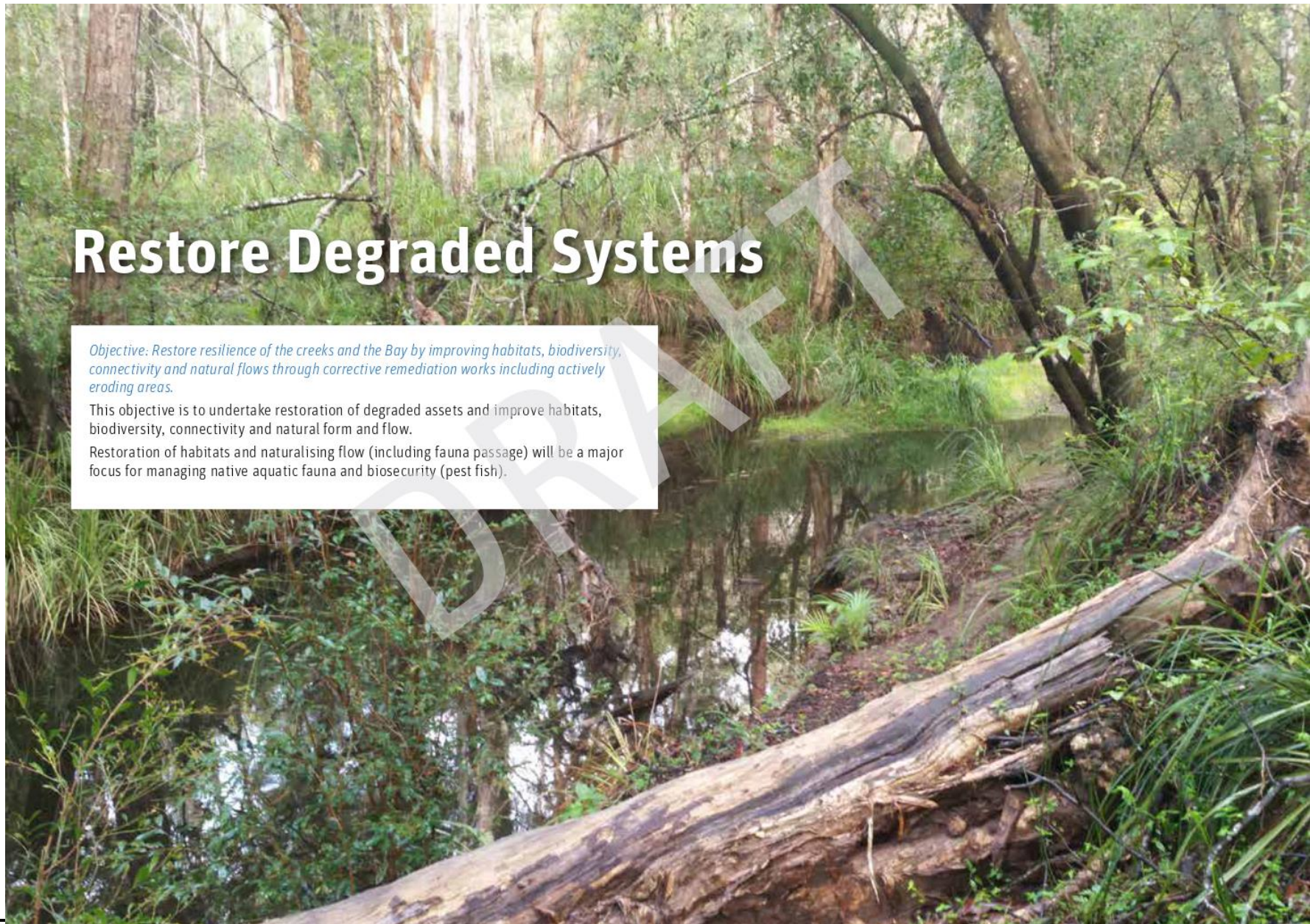


Table 3. Restore degraded systems actions.

Priority Outcome	Action number	Action	Performance measures	Timeframe	Responsibility	Partners	Cost estimate
<b>Habitat restoration</b> Restore degraded areas at priority locations by improving habitat, biodiversity and connectivity, along with addressing threats.	<b>12</b>	<b>Planning stage</b>					
		Identify and map known potential restoration areas.	Map produced to identify established and known potential restoration areas.	Medium	EEU	PSCU, CIG, COG, CSG, WWIG	Medium
		Develop restoration plans based on prioritised mapping of potential restoration areas.	Number of costed restoration plans completed.	Medium	EEU	all operational stakeholders	FCD
		<b>Implementation stage</b>					
		Prioritised habitat restoration projects commenced.	Number of priority habitat restoration projects undertaken per year.	Medium - ongoing	EEU	PSCU, PDG, CIG	FCD
<b>Creek erosion</b> Restoration of actively eroding creeks.	<b>13</b>	<b>Planning stage</b>					
		Develop tool/s to capture and assess extent of waterway/gully erosion.	A detailed report of tool developed and trialled.	Short	EEU	COG, GIG, WWIF, ERG	Low
		Develop restoration plans based on prioritised mapping of actively eroding creek areas.	Number of costed restoration plans completed.	Medium	EEU	COG, GIG, WWIF, ERG	Medium
		<b>Implementation stage</b>					
		Undertake trials of waterway, bed and/or bank restoration.	A detailed report and tool/s outlining the outcome of the trials for future works.	Long	EEU	COG, GIG, WWIF, ERG	FCD
<b>Natural flows</b> Restore natural flows of water, including reducing fauna barriers and reconnecting waterways without causing adverse hydraulic or ecosystem impacts.	<b>14</b>	<b>Planning stage</b>					
		Develop a plan for the reduction of fauna barriers across the city.	A detailed and costed plan that identifies and prioritises removal and/or retrofitting of fauna barriers.	Medium	EEU, CIG	PDG, COG	Low
		Review the current approach to manage artificial water bodies across the city.	A detailed report of the review findings and proposed recommendation to improve current processes.	Long	EEU	COG, CPAG	Low
		<b>Implementation stage</b>					
		Best practice has been embedded as standard practice in the design, install, repair or upgrade of existing hard infrastructure in waterways.	Audit of projects indicate 100% achievement of best practices in all projects.	Medium - ongoing	CIG, COG, PDG	EEU	Medium
		Commence prioritised retrofit and/or removal of existing high priority barriers to fauna passage and improve habitat connectivity.	Number of fauna barriers removed or retrofitted.	Long	EEU, CIG	CIG, COG, PDG	High
		Recommendations from artificial water bodies management are implemented.	Number of recommendation actions from review implemented.	Long	CPAG, PCSU	EEU, COG, CIG, PDG	FCD

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# Community Making a Difference

*Objective: Increase community stewardship and connection to the bay and creeks, through education and partnerships.*

The purpose of increasing stewardship and connection among both the community and Council staff is to emphasise the ecological and social value of our bay and creeks. Engaging and empowering the community is fundamental to achieving the goals outlined in the Action Plan.

Community engagement is to be achieved by providing varied and engaging platforms for education and innovative opportunities for connection, creating possibilities for action, partnerships and on-ground change.

Council will form partnerships that provide strong leadership and a depth of knowledge to achieve the Plan's goals and vision through the delivery of prioritised actions. This includes striving for genuine collaboration and partnerships across Council, traditional owners, businesses, industry and the wider community.

Table 4. Community can make a difference

Priority Outcome	Action number	Action	Performance measures	Timeframe	Responsibility	Partners	Cost estimate
<b>Community participation</b> Support community participation and scope opportunities to increase community engagement, leveraging resources to direct and contribute to management associated with our bay and creeks.	15	<b>Planning stage</b>					
		Development of a Community Engagement Program that identifies opportunities for community led restoration, monitoring and research.	A detailed Community Engagement Program which identifies key opportunities for community participation.	Medium	EEU	CET	Low
		Development of Citizen Science Program	A detailed program with prioritised citizen science projects.	Medium	EEU	CET	Low
		Investigation into the feasibility to develop a Catchment Coordination Association to direct and contribute to waterways action and management.	A detailed report of the feasibility and requirement to create a Catchment Coordination Association.	Long	EEU	All stakeholders	Medium
		<b>Implementation stage</b>					
		If supported, establish a Catchment Coordination Association.	Inaugural catchment coordination meeting held and network terms of reference developed.	Long	EEU	All stakeholders	FCD
		Commencement of robust citizen science projects.	Number of robust citizen science projects undertaken.	Long	EEU	All stakeholders	FCD
<b>Environmental education and extension</b> Support our community in their actions and decision making by providing education, advice and resources.	16	<b>Planning stage</b>					
		Develop a Bay and Creeks Education and Awareness Plan.	A detailed and costed Bay and Creek Education and Awareness Plan developed.	Medium	EEU	CET	Low
		<b>Implementation stage</b>					
		Implementation of the Education and Awareness Plan.	Number of campaigns and review of the success of the campaigns.	Medium	EEU	ERG, WWIG, WWOG, CETG	FCD
		Identify targeted works on priority private properties to increase resilience of our bay and creeks.	Number of projects undertaken on private properties in the Environmental Partnerships Program.	Medium	EEU		BAU



Priority Outcome	Action number	Action	Performance measures	Timeframe	Responsibility	Partners	Cost estimate
<b>Private wastewater treatment</b> Minimise contribution of pollutants to our bay and creeks from wastewater treatment on private property.	<b>17</b>	<b>Planning stage</b>					
		Undertake audit to identify the current level of compliance of maintaining wastewater treatment on private properties in priority areas.	A detailed report of the audit findings.	Medium	DCU	EEU, HEU	Low
		If low level of compliance is identified, further research and review undertaken to outline options to improve level of compliance of maintenance on wastewater treatment on private property.	A detailed and cost plan identifying options to improve compliance.	Medium	DCU	ERG	Low
		<b>Implementation stage</b>					
		Targeted program to improve maintenance of private wastewater systems commenced.	Number of compliant properties (reduced from baseline figures).	Medium	DCU	ERG	BAU



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## Appendix 1

Alignment of Redland Coast Bay and Creeks Action Plan  
to the Actions of the Lower Brisbane-Redlands Coastal  
Catchments.

CAP Action	CAP Actions	CAP possible implementation pathway	Specified Redlands Coast locations	Actions within BCP-AP	Details of implementation through BCP-AP
1	Address bed and bank instability at 10 priority locations through on ground works including bank stabilisation, riparian and instream rehabilitation and weed management to benchmark standard, where possible.	Collaboration between BCC, RCC, LCC, ICC, SEQW and community groups.	Sites listed include Eprapah and Upper Tingalpa with locations within to be confirmed.	1 (Innovative opportunities and partnerships) 11 (Offsets and off-site solutions) 12 (Habitat restoration) 13 (Creek erosion) 15 (Community participation)	Identify, assess and prioritise areas. Followed by scoping projects, sourcing funding and implementation.
2	No reference to RCC (action associated with Oxley Creek).				
3	Undertake trial of saltmarsh rehabilitation techniques (to benchmark standard) to address damage caused by vehicles, including vehicle exclusion barriers, revegetation and stabilisation.	Collaborative project between HLW, RCC, BCC, QYAC and community.	Locations to be determined, and may include Ormiston, Redland Bay and Russell Island.	1 (Innovative opportunities and partnerships) 11 (Offsets and off-site solutions) 12 (Habitat restoration) 15 (Community participation)	Identify, assess and prioritise areas. Followed by scoping projects, sourcing funding and implementation.
4	Identify suitable areas, retrofit innovative stormwater solutions within a precinct and apply the Living Waterways approach to deliver on broader benefits of water sensitive urban design, such as urban cooling and social amenity through the use of emerging and innovative technologies.	Partnership approach between local governments and developers with support from HLW and water utilities.	Thornlands and other appropriate locations determined by stakeholders.	1 (Innovative partnerships) 2 (Monitoring) 4 (Stormwater solutions) 7 (Best practice asset management) 9 (Assessment and compliance) 11 (Offsets and off-site solutions) 15 (Community participation)	Identify, assess and prioritise areas. Followed by scoping projects, sourcing funding and implementation. Link of Urban Vegetation Plan regarding urban cooling.
5	Reinstate fish passage at three priority locations, as ranked in the Greater Brisbane Fish Barrier Prioritisation Study (completed 2016).	Collaboration between DES, DAF, HLW, BCC and RCC.	Fellmonger Park on Hilliards Creek, Ormiston listed.	1 (Innovative partnerships) 13 (Habitat restoration) 14 (Natural flows) 15 (Community participation) 16 (Environmental education and extension)	Scope and research projects. Monitor impacts on fauna assemblage. Develop project plans. Source funding and implement projects.
6	Establish six partnership (twinning) projects to share knowledge, expertise and leverage funding to improve waterway management outcomes across the catchment.	Cross-organisational partnerships between BCC, RCC, LCC, ICC, HLW, QYAC and community groups.	Projects and partnerships to be determined (2 per year).	1 (Innovative opportunities and partnerships) 4 (Stormwater solutions) 11 (Offsets and off-site solutions) 12 (Habitat restoration) 13 (Creek erosion) 14 (Natural flows) 15 (Community participation) 17 (Environmental education and extension)	Identify, assess and prioritise areas. Followed by scoping projects, sourcing funding and implementation.

CAP Action	CAP Actions	CAP possible implementation pathway	Specified Redlands Coast locations	Actions within BCP-AP	Details of implementation through BCP-AP
7	Enhance existing Erosion and Sediment Control regulatory activities (including monitoring, auditing, reporting compliance and education using a risk-based approach) to minimise environmental impacts from approved developments and activities. Includes erosion and sediment control during construction and stormwater quality improvement devices.	Partnership approach between local governments and developers with support from DES and HLW.	Active development sites.	2 (Monitoring) 7 (Best practice asset management) 9 (Assessment and compliance) 16 (Community education and extension)	This action is to be addressed mostly through action 9 Assessment and compliance). This is to be achieved by continual improvement of policy, process and procedure to ensure legislative obligations are met by industry through the approval assessment and compliance processes.
8	Deliver the SEQ Erosion and Sediment Control and Urban Stormwater Capacity Building Program in priority locations through training in and demonstration of best practice in erosion and sediment control using high-efficiency sediment basins for treating on-site stormwater runoff for council officers and industry.	DES in partnership with HLW, local councils to build knowledge and, with industry, to build awareness and capacity.	Deliver training at the Healthy Land and Water/ Redland City Council demonstration site and through training days and knowledge sharing in conjunction with local governments.	1 (Innovative opportunities and partnerships) 9 (Assessment and compliance) 15 (Community participation) 16 (Community education) 17 (Environmental education and extension)	This action is to be addressed mostly through participation in innovative partnerships associated with education and community participation.
9	Embed updated SEQ Environmental Values, Water Quality Objectives and accompanying aquatic ecosystem mapping under the Environmental Protection (Water) Policy 2009 into local planning schemes.	Partnership approach between local governments and developers with support from DES and HLW.	Across Lower Brisbane-Redlands Coastal Catchment.	1 (Innovative opportunities and partnership) 9 (Assessment and compliance)	RCC representatives to assist in review of Water Quality Objectives and once in place RCC to ensure requirements are incorporated into or planning tools.
10	Identify key issues, information gaps and clarify the regulatory framework for the sustainable management of shallow groundwater aquifers to support waterway health, wetlands and groundwater recharge.	A committee with representatives from BCC, RCC, LCC, DNRME, DES, HLW and SEQW.	Apply the clarified regulatory framework in two land use management scenarios including Leslie Harrison Dam Catchment.	1 (Innovative opportunities and partnerships)	Given RCC does not manage Leslie Harrison Dam, If requested an RCC representative is to participate on committee associated with relevant Catchment.
11	Build towards a greater body of knowledge of surface and groundwater resources on North Stradbroke Island to better inform water resource planning by: identifying existing data and assess data gaps establishing a centralised data collection, storage and sharing framework.	Collaborative project between QYAC, SEQW, DNRME, RCC, Redland Water and DES.	North Stradbroke Island groundwater catchment.	1 (Innovative opportunities and partnership) 18 (Private wastewater treatment) 15 (Community participation)	RCC major contribution to this action is a compliance audit on documentation provided on private wastewater treatment systems. These system can potentially impact on ground water resources.
12	Identify Indigenous landscape values (both with Native Title and without) using the DES ecosystems service manual developed for appropriate inclusion of indigenous landscape values in catchment and land management activities.	Indigenous groups in partnership with DES and local governments (BCC, RCC, LCC and ICC).	Priority sites to be identified after developing the guide.	1 (Innovative opportunities and partnerships)	If requested RCC representatives can provide in-kind support to this project.

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CAP Action	CAP Actions	CAP possible implementation pathway	Specified Redlands Coast locations	Actions within BCP-AP	Details of implementation through BCP-AP
13	Embed urban waterway management technical guideline (under development) into waterway restoration designs. Ensure the appropriateness for this catchment, that it builds on existing information, including the Streambank, in-channel and riparian rehabilitation guidelines DNRM 17102 (under development), along with recognition of Indigenous landscape values (action #6).	Collaborative project between DES, BCC, RCC, LCC, ICC and HLW. Building on the CRC for Sustainable Cities' riparian guideline and the DNRME guideline (under development).	To improve design outcomes on projects within the Lower Brisbane-Redlands Coastal Catchment.	1 (Innovative opportunities and partnership) 9 (Assessment and compliance) 12 (Habitat restoration) 13 (Creek erosion) 14 (Natural flows)	RCC representatives to assist in development and review of document. If documents meets Redland Coast requirements this is then to be consulted during implementation of action 12 -14 and considered during action 10 (for incorporation into planning instruments).
14	Establish an agreed framework to ensure regular Lidar surveys are performed (e.g. roles, funding, and frequency).	DNRME to lead mapping in consultation with DES, BCC, RCC, LCC, ICC and stakeholders.	Lower Brisbane-Redlands Coastal Catchment.	1 (Innovative opportunities and partnership)	RCC representative to be available for consultation if opportunity given. At time of development of this plan Redland Coast did not form part of next proposed Lidar run.
15	Undertake detailed mapping and condition assessment of sub-tidal and intertidal wetlands. Classify wetlands using DES's existing methodology and assess risks to key habitats to inform coastal adaptation planning and wetland rehabilitation and restoration planning.	DES to undertake detailed baseline mapping. RCC, BCC, QYAC and HLW to assist with assessing risks.	Brisbane River mouth and Moreton Bay (between SMBIs and Moreton Island).	1 (Innovative opportunities and partnership)	If requested RCC representatives to provide in-kind support to this project.





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**14.5 NEGOTIATED DECISION REQUEST FOR MCU013612 FOR A MIXED USE DEVELOPMENT (APARTMENT BUILDINGS, TOURIST ACCOMMODATION, REFRESHMENT ESTABLISHMENT, SHOP) - 4 HARBOURVIEW COURT AND 144A SHORE STREET WEST, CLEVELAND**

**Objective Reference:** A5351808

**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services

**Responsible Officer:** David Jeanes, Group Manager City Planning and Assessment

**Report Author:** Justin Leach, Planning Officer

**Attachments:**

1. Proposal Plans for MCU013612 [↓](#)
2. Cafe plans for MCU013612 [↓](#)
3. Enacted Infrastructure Agreement for MCU013612 [↓](#)
4. Conditions for MCU013612 [↓](#)

## **PURPOSE**

This application is referred to the General Meeting of Council for determination at the request of the Divisional Councillor.

## **BACKGROUND**

Council has received representations about a decision for a material change of use for a mixed use development (apartment buildings, tourist accommodation, refreshment establishment, shop) on land at 4 Harbourview Court and 144A Shore Street West, Cleveland. The owner of the land is the State Government (Queensland Rail) and the applicant is Envisage Development Management Pty Ltd.

The key issues in the assessment of the representations are:

- Car parking
- Protection of the eucalyptus tree on Lot 3 on SP273106

The above issues have been assessed in the report and in accordance with section 363 of the *Sustainable Planning Act 2009* and it is recommended that the request be approved.

## **Application history**

At Council's General Meeting 25 January 2017, it was resolved to issue a preliminary approval for the material change of use for the proposed development subject to two requirements:

1. Provide sufficient car parking for the apartment building use that meets specific outcome S8 of the Apartment Building Code and specific outcome S1 of the Access and Parking Code.
2. Design the development in a way that retains and protects the existing Eucalyptus species located on Lot 3 on SP273106 intact.

The applicant suspended the appeal period on 20 February 2017 and representations were initially received on 9 March 2017. The applicant has lodged revised plans (Attachments 1 and 2) showing:

- An additional seven (7) car parking spaces provided on the subject site.
- Redesign/reduction in size of the café component on Lot 3 on SP273106 to retain the Eucalyptus species.



## ISSUES

### Site description

The subject site is located at 4 Harbourview Court and 144A Shore Street, Cleveland and is described as Lot 2 on SP273106 and Lot 3 on SP273106. The site has a total area of 4,548m<sup>2</sup>. The overall slope is described as reasonably flat with a fall of 1m from 2.75m AHD in the north east corner of the lot (along Harbourview Court) to 3.75m AHD in the south western corner of the lot. Lot 1 on SP273106 is a triangular parcel at the western end of the development site having an area of 692m<sup>2</sup>. While Lot 1 forms part of the Cleveland train station re-development, it does not form part of this application (figure 1).

Development in the surrounding area consists of a mix of uses. The land to the south comprises the Cleveland Railway Station including the platform and standing area due to the station being the 'end of line'. Further to the south (across Shore Street) is a seven storey apartment building with ground level commercial, the Cleveland library car park and a smaller commercial development adjacent to the Waterloo Street roundabout. The property to the north and west of the site is comprised of a large townhouse development containing 74 units and fronting Columbus canal / Raby Bay Marina. A 3.95m wide parcel exists between the subject site and this neighbouring development, being used as a public pathway that links Harbourview Court with Nautilus Drive. On the opposite side of Harbourview Court is the Raby Bay Harbour Park which contains passive recreation facilities and also forms part of the pedestrian link between the harbour and central Cleveland.



Figure 1. Aerial plan and lot description.

### Proposal

The proposal is to seek a negotiated decision from Council to upgrade the current preliminary approval to a development permit. The representations provided to Council are for:

- The addition of seven (7) additional car parking spaces within the resident car parking level.
- Revised design and reduction in area of the café component, located within Lot 3 on SP273106. The revised design is proposed to allow for the retention of the Eucalyptus species within the lot.

### Development agreement

The developer has a Development Agreement with the State of Queensland (as represented by the Department of Transport and Main Roads). Some of the details of the agreement (the aspects disclosed to Council and referenced in the application material submitted by the Applicant) that are relevant to the assessment of the proposal include:

- Provide an all-weather, covered commuter car park with an additional 17 parking spaces.
- Provide a 'crash barrier' to be built along the entire southern edge of the site to protect the building and car park users in the event of a train derailment.
- Provide an anti-throw screen along the southern side of the resident's car park and podium deck.
- Maintain the chain link fence along the northern and southern boundary.
- Provide service areas at ground level (loading zone and refuse collection) for the proposed uses.
- Provide temporary car parking facilities at an alternative location while construction is underway. This will be managed by way of a Construction Management Plan to be provided prior to commencement of site works in consultation with Council.

### Resulting development

The resulting development, including the representations, is for a mixed use development comprising of an apartment building (x118), tourist accommodation (x6), refreshment establishment and shop. The proposed building form consists of two separate towers that are integrated across the first level car park and podium level (second level) reaching a maximum height of 29m, with pedestrian access via a ground level lobby fronting Harbourview Court. The building up to the podium level is built to boundary and has a maximum height of 9m. These levels contain the public car park (ground level) and separate resident's car park (level 1), with the top of the podium effectively forming the ground level for the two towers. Above the podium, the two towers are separated by 15m with tower one located to the west and tower two to the east.

The proposal involves two stages as follows:

- **Stage 1** – involves extending the existing commuter car park to the west (Lot 1 on SP273106) and building a structure above, which will act as a roof for the car park and provide a platform for building above it and construction of a refreshment establishment (Lot 3 on SP273106).
- **Stage 2** – Construction of the residential car park and the two towers for the apartment building and tourist accommodation use.

### Commuter Car Park

The proposed development includes a commuter car park at ground level on Lot 1 on SP273106 and Lot 2 on SP273106. Lot 1 on SP273106 is a triangular parcel at the western end of the development site having an area of 692m<sup>2</sup>. Whilst this parcel forms part of the overall re-development of the Cleveland train station site, it does not form part of this application. In

accordance with Schedule 4 of the *Sustainable Planning Regulation 2009* and Section 232(2) of the *Sustainable Planning Act 2009*, all uses associated with the 'rail transport infrastructure' are exempt development. Therefore the commuter car park and associated works on Lot 1 and Lot 2 are not assessable development as it is 'rail transport infrastructure'.

The commuter car park is to be the first stage constructed as part of the development and involves extending the existing car park to the west (Lot 1 on SP273106) and building a structure above, which will act as a roof for the car park and provide a platform for building above it. Upon completion, 163 commuter parking spaces (a net gain of 17 commuter parking spaces) will be provided as well as bike racks, two small rigid vehicle (SRV) bays, one medium rigid vehicle (MRV) bay, two kiss and ride bays and six motorcycle spaces.

During the construction of stage 1 of the proposed development the existing car parking spaces on the subject lot will not be available for commuters. The applicant and Council are facilitating the implementation of up to 78 additional car parking spaces at Redlands Performing Arts Centre (RPAC) for use during the construction phase through an infrastructure agreement (refer Attachment 3). Once stage 1 of the development is complete, the asset will be retained on the RPAC site. This will form part of the recommended conditions (refer Attachment 4).

#### Apartment building and tourist accommodation

The details of the proposal on each level of the towers are as follows:

Levels	Tower 1	Tower 2
Level 2	<ul style="list-style-type: none"> <li>• 3 x 1 bedroom (Tourist Accommodation)</li> <li>• 5 x 2 bedrooms</li> <li>• 1 x 3 bedroom</li> <li>• Gym</li> </ul>	<ul style="list-style-type: none"> <li>• 3 x 1 bedroom (Tourist Accommodation)</li> <li>• 5 x 2 bedrooms</li> <li>• 1 x 3 bedroom</li> <li>• Business centre</li> </ul>
Level 3-7	<ul style="list-style-type: none"> <li>• 2 x 1 bedroom</li> <li>• 6 x 2 bedrooms</li> <li>• 2 x 3 bedroom</li> </ul>	<ul style="list-style-type: none"> <li>• 2 x 1 bedroom</li> <li>• 6 x 2 bedrooms</li> <li>• 2 x 3 bedroom</li> </ul>
Level 8	<ul style="list-style-type: none"> <li>• 3 x 3 bedrooms (penthouses)</li> <li>• Communal open space with BBQ</li> </ul>	<ul style="list-style-type: none"> <li>• 3 x 3 bedrooms (penthouses)</li> <li>• Communal open space with BBQ</li> </ul>

#### Refreshment establishment and shop

A refreshment establishment (café / convenience kiosk) is proposed to be constructed as part of the development on the corner of Harbourview Court and Shore Street West with a floor area of 39m<sup>2</sup>. The refreshment establishment is intended to support the bus and train services and primarily provide refreshments, and may also sell newspapers or the like, to commuters who are in transit before or after catching public transport.

#### **Assessment framework**

The applicant has made a representation under section 361 of SPA about the preliminary approval granted by Council on 25 January 2017, which states:

*'(1) The applicant may make written representations to the assessment manager about—*

*(a) a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 287(1) or (5); or*

*(b) the standard conditions applying to a deemed approval.*

*(2) However, the applicant can not make representations under subsection (1)(a) about a condition attached to an approval under the direction of the Minister.'*

Council's assessment framework and decision about the representations is provided under section 362 and 363, which states:

S362

*'The assessment manager must consider any representations made to the assessment manager under section 361.'*

S363

*'(1) If the assessment manager agrees with any of the representations about a decision notice or a deemed approval, the assessment manager must give a new decision notice (the negotiated decision notice) to—*

*(a) the applicant; and*

*(b) each principal submitter; and*

*(c) each referral agency; and*

*(d) if the assessment manager is not the local government and the development is in a local government area—the local government.*

*(2) Before the assessment manager agrees to a change under this section, the assessment manager must consider the matters the assessment manager was required to consider in assessing the application, to the extent the matters are relevant.*

*(3) Only 1 negotiated decision notice may be given.*

*(4) The negotiated decision notice—*

*(a) must be given within 5 business days after the day the assessment manager agrees with the representations; and*

*(b) must comply with section 335; and*

*(c) must state the nature of the changes; and*

*(d) replaces—*

*(i) the decision notice previously given; or*

*(ii) if a decision notice was not previously given and the negotiated decision notice relates to a deemed approval—the standard conditions applying to the deemed approval.*

*(5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to agree with any of the representations, give written notice to the applicant stating the decision about the representations.'*

Pursuant to section 363(2) of SPA, the application was assessed against the following applicable matters:

- The conditions of the preliminary approval MCU013612
- Redlands Planning Scheme V7:

- Major centre zone code
  - Apartment building code
  - Tourist accommodation code
  - Centre design code
  - Access and parking code
  - Erosion prevention and sediment control code
  - Excavation and fill code
  - Infrastructure works code
  - Landscape code
  - Stormwater management code
  - Acid sulphate soils overlay
  - Road and rail noise impact overlay
- State Planning Policy July 2014
  - South East Queensland Regional Plan 2009-2031
  - SEQ Koala Conservation SPRP
  - Local Government Infrastructure Plan

### Assessment of negotiated conditions

Council's preliminary approval conditions that must be addressed to allow the issue of a development permit are as follows:-

1. **Provide sufficient car parking for the apartment building use that meets specific outcome S8 of the Apartment Building Code and specific outcome S1 of the Access and Parking Code.**  
*Advice: One way to achieve these outcomes would be to provide car parking at a rate of one space per unit for residents and one space for every four apartment building units for visitors in accordance with the car parking rate in Schedule 1 – Access and Parking of the Redlands Planning Scheme 2006.*
2. **Design the development in a way that retains and protects the existing Eucalyptus species located on Lot 3 on SP273106 intact.**

### Applicant's Representation

#### Car Parking

The number of car parking spaces provided is consistent with the parking rates for Transit Oriented Development (TOD), with the TOD – Guide for Practitioners in Queensland (which is applicable in consideration of how many car parks are deemed appropriate for the development) which requires one space per unit. The proposal provides 124 spaces for the 124 units.

Further consideration has been given to the car parking layout of the development by the applicant and there is scope to provide an additional 21 spaces on level one (figure 2). This is able to be achieved by redistributing the storage areas for the apartments and utilising that part of the parking deck currently located within the open space zone (Lot 1 on SP273106). Whilst this lot does not form part of this application, it is noted that its use will form part of a future development application for the formal use of this space for residential parking and the communal open space area for the apartments on the podium above. This will simply involve line marking of the deck with the actual structure existing as a result of the Stage 1 construction of the covered commuter car park. That is, this area will essentially also be the roof of the car park below so it is reasonable to assume that the car parks will indeed be provided despite the need for a future

application to be lodged to formalise this arrangement. It is expected that this will be completed prior to construction of the final stage of the development. The provision of the extra visitor car parking spaces is considered to be a suitable compromise and should assist in limiting any car parking issues in the area, noting that the developer has already offered to construct a new public car park, providing approximately 70 parking spaces, which will have public benefit.

### Officer's Comments

It is acknowledged that seven of these additional car parking spaces are provided on lots that are subject to the proposal. The rest of the additional car parking spaces (14 car parking spaces) are located on a lot that is not part of the subject application and, as such, does not form part of this assessment. It is also noted that as per section 313(5) of SPA, the scope of the assessment for a local government is limited for a code assessable application to those matters in section 313(2) and (3). Accordingly, Council has not considered the 'TOD – Guide for Practitioners in Queensland', in the following assessment of the applicant's representations.

Condition one of the preliminary approval sought for the development to comply with S1 of the access and parking code and S8 of the apartment building code. Specific outcome S1 (1) of the access and parking code states that:

*'Uses and other development provide off-street vehicle parking that -*

*(a) is clearly defined, safe and easily accessible;*

*(b) takes into consideration -*

*(i) the type and size of development;*

*(ii) expected resident, employee and customer movements;*

*(iii) the location of the use;*

*(iv) the capacity of the existing road network to accommodate on-street parking;*

*(v) access to public transport;*

*(c) includes dedicated parking spaces for -*

*(i) people with a disability;*

*(ii) motor cycles and bicycles;'*

Specific outcome S8 (1) of the apartment building code states that:

*'Accessways and vehicle parking -*

*(a) is safe and convenient for residents and visitors;*

*(b) has an appropriate number of car parking spaces to cater for residents and visitors;*

*(c) does not dominate the streetscape or building form when viewed from the street;*

*(d) is compatible with the overall building design in terms of height, roof form, detail, materials and colour;*

*(e) are designed to incorporate adequate waste collection manoeuvring and service areas;*



- (f) incorporates landscaping to minimise the expanse of hard surfaces;*
- (g) are clearly distinguished from pedestrian entries and paths through design, finish or location;*
- (h) are surfaced with materials that provide stormwater infiltration; or*
- (i) are designed to drain to adjacent landscaped areas, other than turning areas; or*
- (j) is undercover and integrated within the building design, preferably in the form of basement parking.'*

To demonstrate compliance with the specific outcomes, the applicant has provided an additional seven car parking spaces as detailed by figure 2. Accordingly, the proposal includes 131 (124 + 7 additional spaces) car parking spaces, four motorcycle spaces and 28 bicycle racks. The proposal is considered to meet the above mentioned S1 (1) of the access and parking code and S8 (1) of the apartment building code as follows:

The car parking spaces are clearly defined, safe and easily accessible.

- The site is located close to public transport that includes train and buses.
- The subject site is located within a walking distance to Cleveland Centre that provides a variety of services that are essential for residents.
- The subject site has good pedestrian links to surrounding amenities.
- It is reasonable to assume not all unit occupants will own a car, given the location of the development at a train station and bus stop.
- The development provides the opportunity for residents to utilise alternative modes of transport through provision of motorcycle spaces and bicycle racks.
- It is reasonable to assume that a reasonable proportion of visitors will attend the site via train or bus services.
- The design of the car parking spaces do not dominate the streetscape or building form when viewed from the street.
- The proposal includes adequate waste collection manoeuvring and service areas.
- The proposal incorporates landscaping to minimise the expanse of hard surfaces.
- The refreshment establishment is not expected to generate vehicular traffic as the use is ancillary to the bus and train stations.

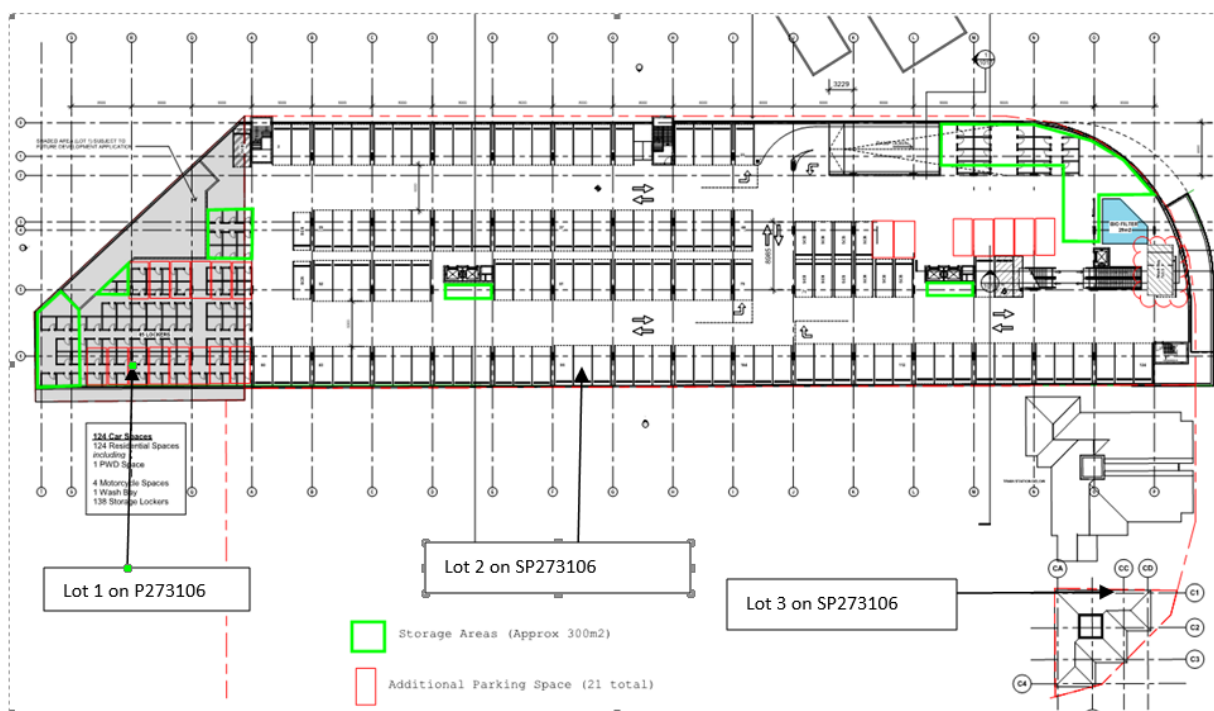


Figure 2. Proposed Level One plan.

### Tree Retention

The representations propose to alter the café design (Figure 3) to retain the Eucalyptus species on Lot 3 on SP273106. To achieve this, it is proposed to utilise relocatable buildings on small above ground level pads and screw jacks, within the tree protection zone. Excavation for the buildings is not proposed, however may be required for the architectural screening structures. Council's Arborist has reviewed the proposal and has recommended conditions to ensure that tree protection measures are undertaken as part of the construction. With the tree protection measures in place, it is considered that compliance with condition 2 of the preliminary approval is achieved.

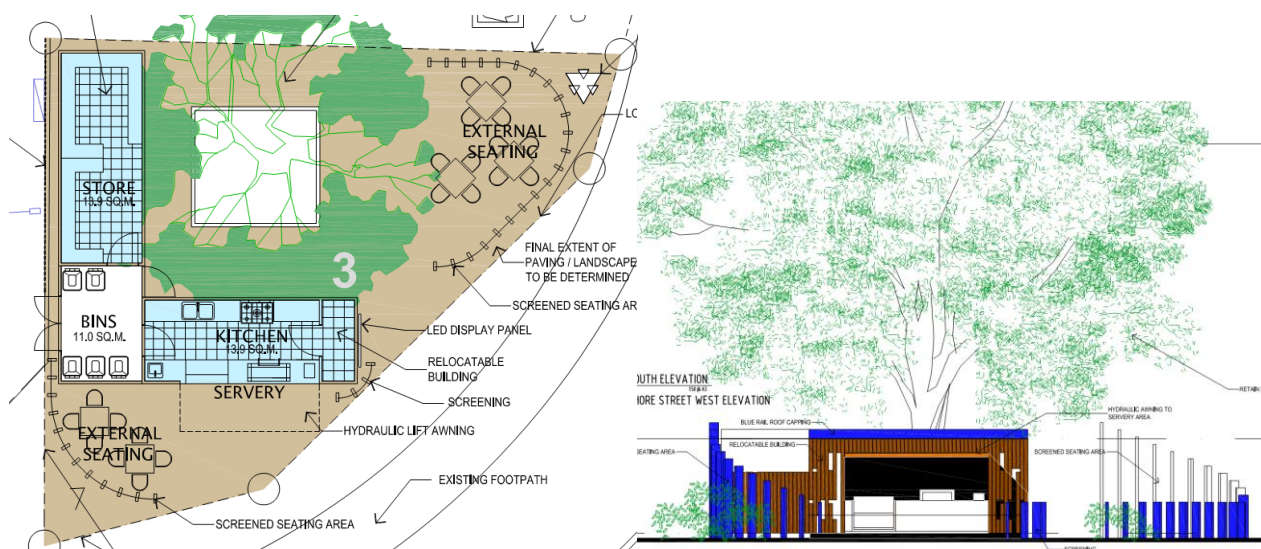


Figure 3. Café layout and elevations from Shore Street West

### Infrastructure charges

The proposed development is subject to infrastructure charges in accordance with the Adopted Infrastructure Charges Resolution. The total charge applicable to this development is:

**Total charge: \$2,831,990.78**

This charge has been calculated as follows in accordance with Council's Adopted Infrastructure Charges Resolution.

Stage 1

**Non-Residential Component**

(38.8m2 GFA X Refreshment Establishment X \$194.30)	\$7,538.84
(38.8m2 X Stormwater Impervious Area X \$10.80m)	\$419.04
<b>Total Council Charge</b>	
	<b>\$7,957.88</b>

Stage 2

**Residential Component**

(6 X Tourist Accommodation - 1 or 2 bedroom X \$10,795.25)	\$64,771.50
(28 X Multiple Dwelling - 3 or more bedroom X \$30,226.70)	\$846,347.60
(90 X Multiple Dwelling - 1 or 2 bedroom X \$21, 590.45)	\$1,943,140.50
<b>Residential Demand Credit</b>	
(1 X Dwelling House - 3 or more bedroom X \$30,226.70)	\$30,226.70
<b>Total Council Charge</b>	
	<b>\$2,824,032.90</b>

Offsets

There are no offsets that apply under Chapter 8 Part 2 of the *Sustainable Planning Act 2009*.

Refunds

There are no refunds that apply under Chapter 8 Part 2 of the *Sustainable Planning Act 2009*.

**Referral agencies**

State Assessment & Referral Agency (SARA)

The proposal was referred to SARA in accordance with Schedule 7, Table 3, Item 14 – Public passenger transport and Table 3, Item 15A – Railways. SARA provided a referral agency response dated 24 March 2016. The Department indicated no objection to the proposed development subject to referral agency conditions in regards to stormwater management, earthworks, anti-throw measures, collision barriers and construction management plan. The Department's referral response, including conditions, will be attached to Council's Decision Notice.

## Conclusion

The application has been assessed against the relevant planning instruments and is considered to comply. It is therefore recommended that a negotiated decision notice be issued subject to conditions.

## STRATEGIC IMPLICATION

### Legislative Requirements

In accordance with the *Sustainable Planning Act 2009* this development application has been assessed against the Redlands Planning Scheme and other relevant planning instruments.

### Risk Management

The applicant has the right to appeal a decision of Council to not issue a negotiated decision. Alternatively, the applicant also has the right to appeal conditions imposed on a negotiated decision notice.

### Financial

Subsequent to a decision being made, and as outlined in the risk management section above, legal costs will apply if the applicant chooses to appeal Council's decision.

### People

There are no implications for staff associated with this report.

### Environmental

Where relevant, the environmental implications are detailed within the assessment in the 'issues' section of this report.

### Social

Social implications are detailed within the assessment in the 'issues' section of this report.

### Human Rights

In accordance with section 58 of the *Human Rights Act 2019*, consideration has been given to the relevant human rights in particular c.25 Privacy and Reputation, when drafting this report.

There are no known human rights implications associated with this report.

### Alignment with Council's Policy and Plans

The assessment and officer's recommendation align with Council's policies and plans as described within the 'Issues' section of this report.

## CONSULTATION

Consulted	Consultation Date	Comments/Actions
Division 2 Councillor	11 February 2021	Procedural internal referral to the relevant Councillor.
	23 February 2021	Meeting to discuss progress on application.
	3 March 2021	Application called in for decision at Council General Meeting.
	10 May 2021	Further meeting to discuss changes to application.
Legal Services	Throughout May 2021	Advice provided on Council compliance with the <i>Sustainable Planning Act 2009</i> and application currency period.

**OPTIONS****Option One**

That Council resolves to agree with the representations about the decision notice for material change of use for a mixed use development (apartment building, tourist accommodation, refreshment establishment, shop) on land described as Lot 2 and 3 on SP273106 and situated at 4 Harbourview Court and 144A Shore Street, Cleveland, subject to the conditions outlined in Attachment 4.

**Option Two**

That Council resolves to agree with the representations about the decision notice for material change of use for a mixed use development (apartment building, tourist accommodation, refreshment establishment, shop) on land described as Lot 2 and 3 on SP273106 and situated at 4 Harbourview Court and 144A Shore Street, Cleveland, subject to alternate conditions to those outlined in Attachment 4.

**Option Three**

That Council resolves to agree with some of the representations about the decision notice for material change of use for a mixed use development (apartment building, tourist accommodation, refreshment establishment, shop) on land described as Lot 2 and 3 on SP273106 and situated at 4 Harbourview Court and 144A Shore Street, Cleveland, subject to alternate conditions to those outlined in Attachment 4.

**Option Four**

That Council resolves to disagree with all of the representations for material change of use for a mixed use development (apartment building, tourist accommodation, refreshment establishment, shop) on land described as Lot 2 and 3 on SP273106 and situated at 4 Harbourview Court and 144A Shore Street, Cleveland, and give written notice to the applicant stating the decision about the representations. Reasons will be required for this option.

**OFFICER'S RECOMMENDATION**

That Council resolves to agree with the representations about the decision notice for material change of use for a mixed use development (apartment building, tourist accommodation, refreshment establishment, shop) on land described as Lot 2 and 3 on SP273106 and situated at 4 Harbourview Court and 144A Shore Street, Cleveland, subject to the conditions outlined in Attachment 4.

**COUNCIL RESOLUTION 2021/154**

**Moved by:** Cr Peter Mitchell

**Seconded by:** Cr Tracey Huges

**That Council resolves to disagree with all of the representations for material change of use for a mixed use development (apartment building, tourist accommodation, refreshment establishment, shop) on land described as Lot 2 and 3 on SP273106 and situated at 4 Harbourview Court and 144A Shore Street, Cleveland, and give written notice to the applicant stating the decision about the representations. The reasons for disagreeing to the representations are that:**

**a) The development does not provide sufficient car parking and does not comply with specific**

outcome S8 of the Apartment Building Code and specific outcome S1 of the Access and Parking Code; and

- b) There is insufficient information provided to demonstrate that the development will retain and protect the existing Eucalyptus species located on Lot 3 on SP273106 intact.

**CARRIED 8/3**

Crs Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Julie Talty, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

Crs Karen Williams, Mark Edwards and Rowanne McKenzie voted AGAINST the motion.



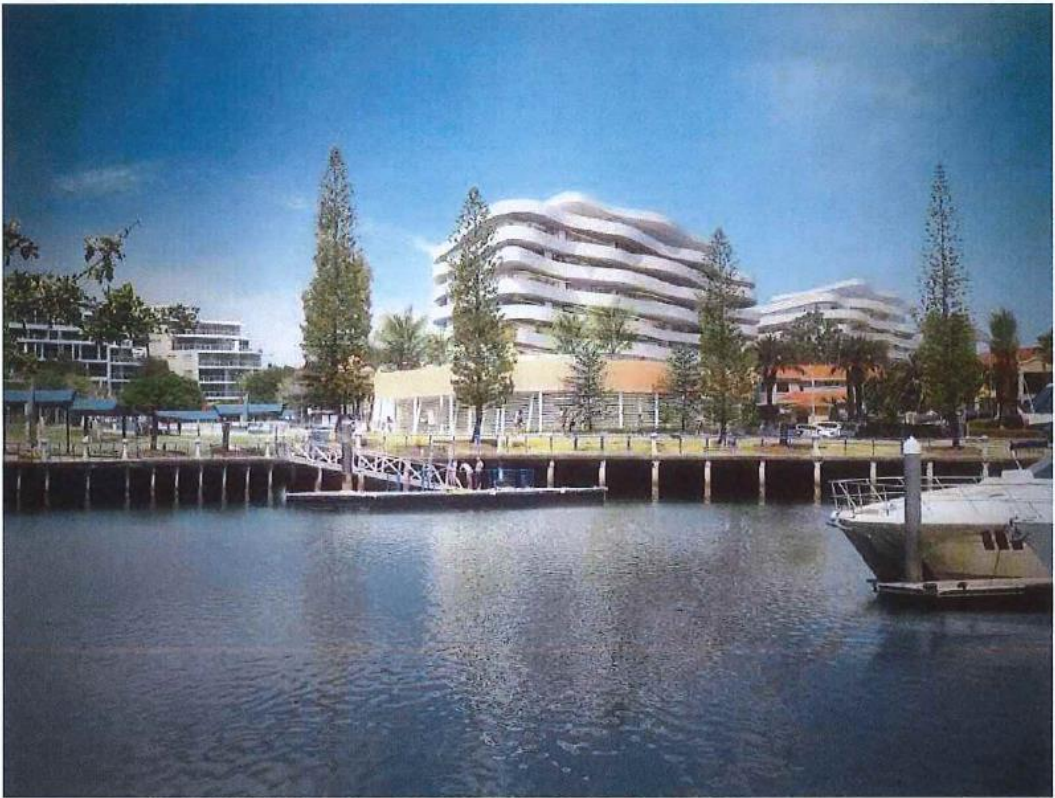
BAY HORIZONS - RABY BAY - CLEVELAND  
MIXED USE DEVELOPMENT PROPOSAL

3187 Bay Horizons - Raby Bay

Drawing Schedule

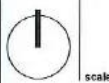
23-03-2016

Sheet Number	Revision	Name	Status	Date
SK 1001	D	Cover Sheet	Development Application	23-Mar-16
SK 1002	A	Location Plan	Development Application	27-Nov-15
SK 1003	B	Site Plan	Development Application	14-Nov-15
SK 1004	A	Existing Conditions Plan	Development Application	27-Nov-15
SK 1005	B	Ground Floor	Development Application	09-Feb-16
SK 1006	A	Level 1	Development Application	27-Nov-15
SK 1007	A	Level 2	Development Application	27-Nov-15
SK 1008	B	Levels 3-7	Development Application	14-Nov-15
SK 1009	A	Level 8	Development Application	27-Nov-15
SK 1010	B	Area Schedule	Development Application	14-Nov-15
SK 1011	B	Coffee Shop	Development Application	23-Mar-16
SK 1012	C	Building Sections	Development Application	23-Mar-16
SK 1013	C	Elevations 1	Development Application	23-Mar-16
SK 1014	C	Elevations 2	Development Application	23-Mar-16
SK 1015	B	Shadow Diagrams	Development Application	14-Nov-15
SK 1016	B	Footpath Section	Development Application	26-Feb-16
SK 1017	A	Northern Footpath Section	Development Application	23-Mar-16
SK 1018	A	Eastern Footpath Section	Development Application	23-Mar-16
SK 1019	A	Entry Lobby	Development Application	23-Mar-16
SK 1030	C	External Perspectives	Development Application	23-Mar-16
Grand Total - 20 Drawings				



Plot Date: 23-Mar-16 12:35:27 PM

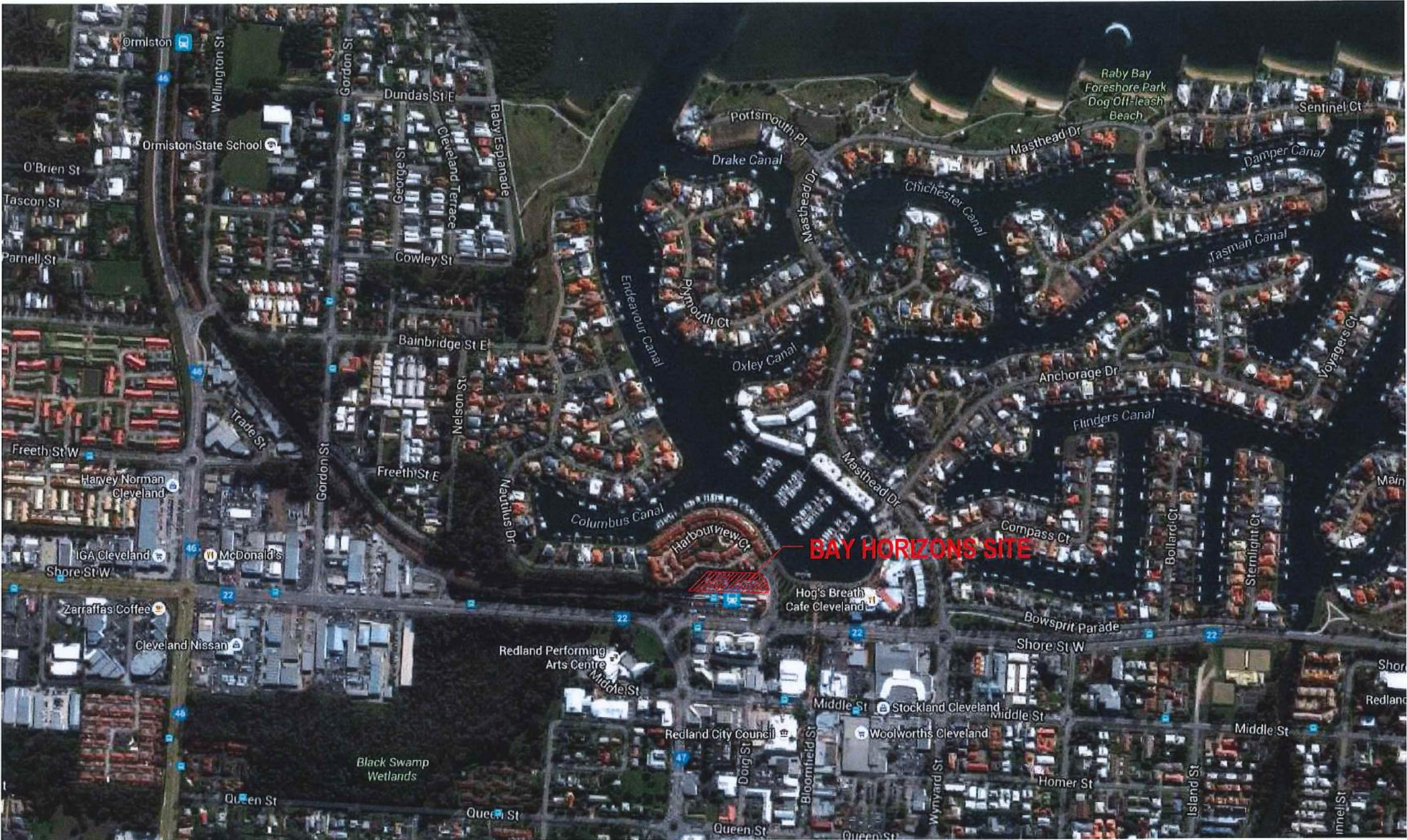
CRONE  
ARCHITECTS  
Suite 12/36 Agnes Street, Fortitude Valley  
Brisbane, QLD 4006, Australia  
Ph: +61 7 3666 0401  
Fax: +61 7 3252 1692



Development Application  
Cover sheet | Rev: D  
BAY HORIZONS CQ3187  
PO BOX 3685  
LOGANHOLME QLD 4129  
11/09/15  
@A1 SK1001

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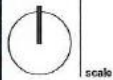




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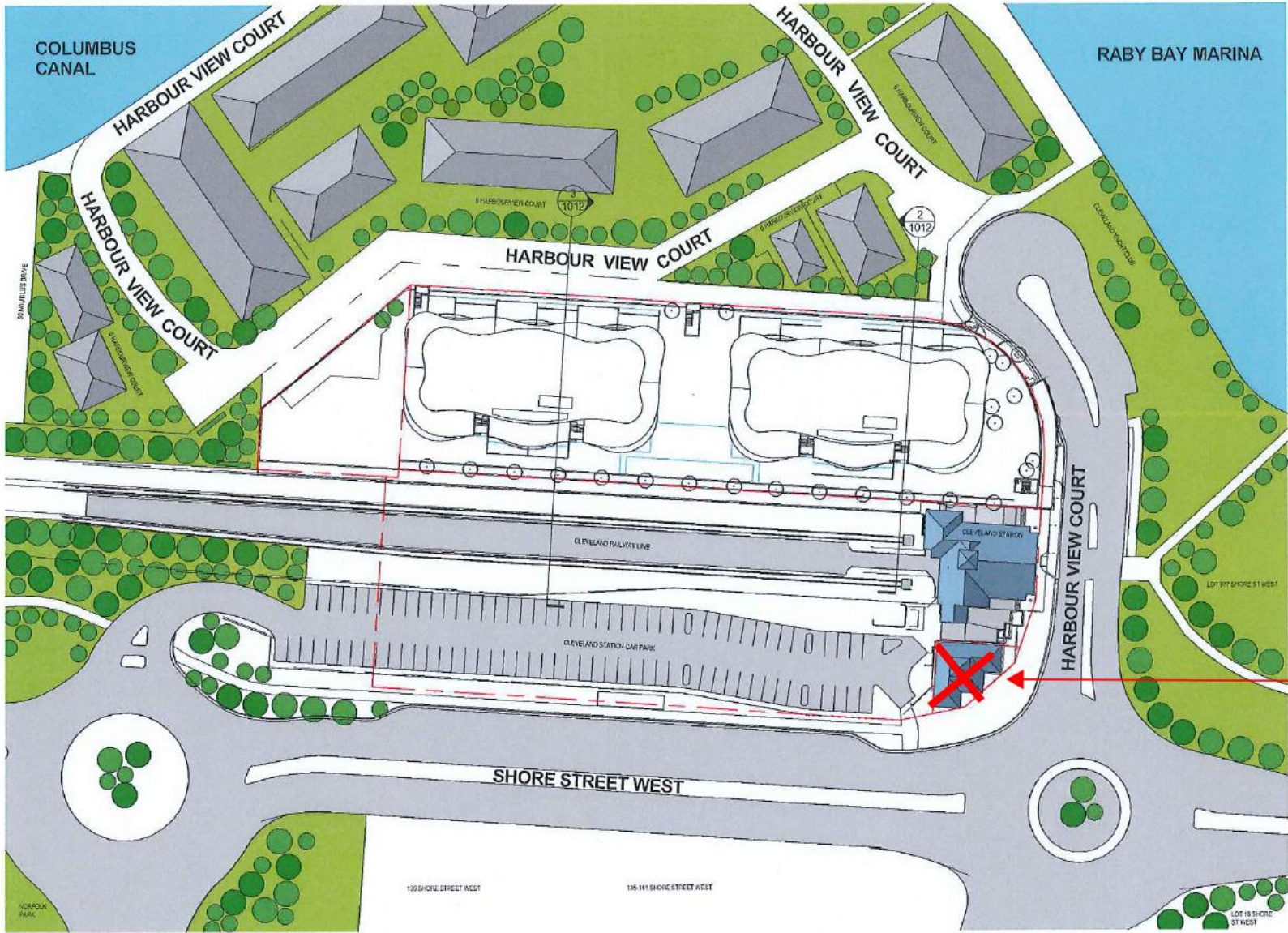


**Development Application**

**Location Plan**  
BAY HORIZONS  
PO BOX 3685  
LOGANHOLME QLD 4129  
11/26/15

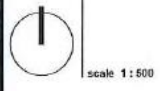
Rev: A  
CQ3187  
**SK1002**





Cafe design on Lot 3 on SP273106 to be in accordance with Cleveland Cafe plans DA-40 to DA-44, dated 07/04/2021. The existing Eucalyptus saligna is to be retained.

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ARCHITECTS  
Suite 12/36 Agnes Street, Fortitude Valley  
Brisbane, QLD 4006, Australia  
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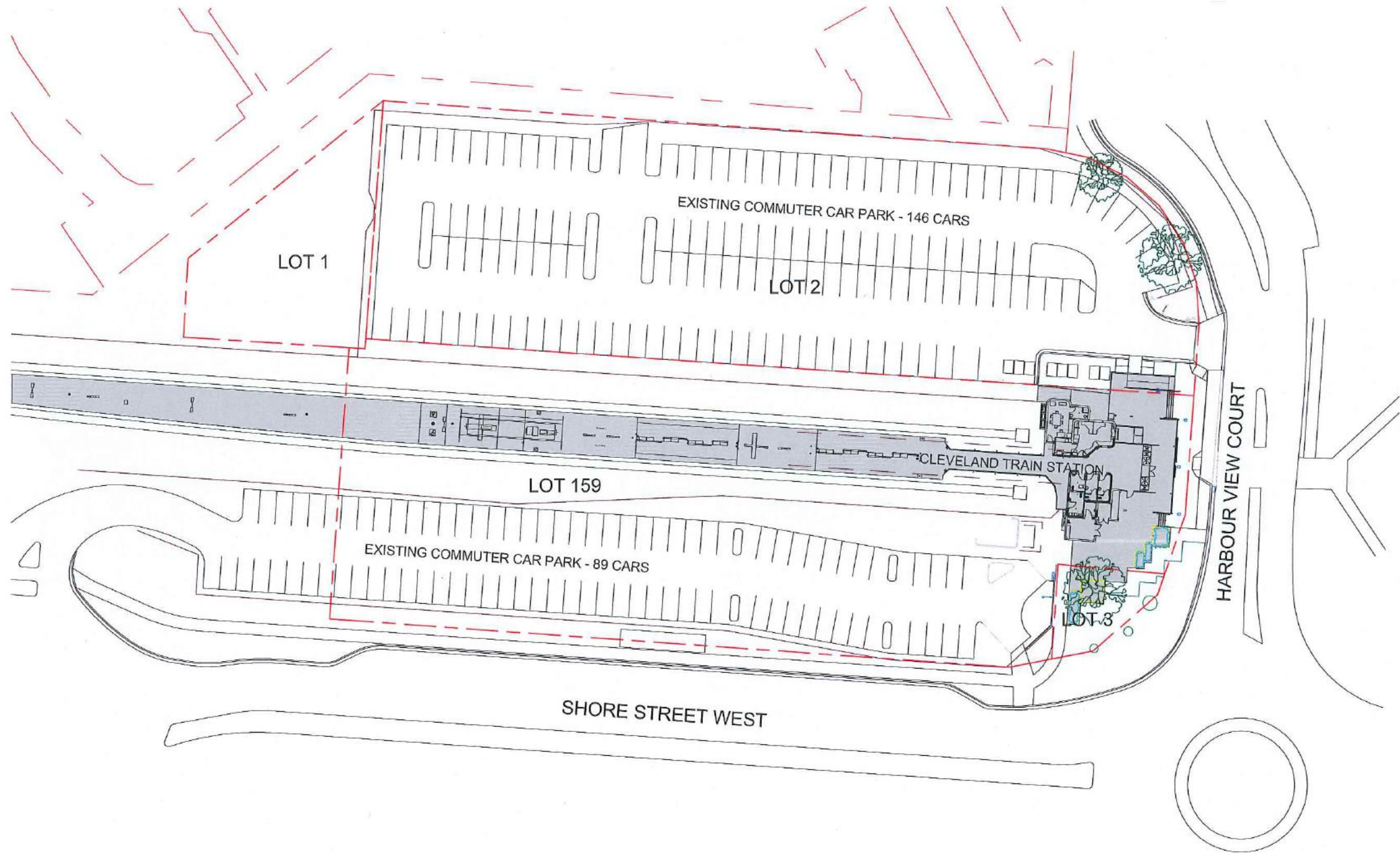


Development Application  
Site Plan  
BAY HORIZONS  
PO BOX 3685  
LOGANHOLME QLD 4129  
11/09/15  
Rev: B  
CQ3187  
SK1003

Cad File No: C:\01 - 3187 Bay Horizons\Cleveland\_Building\_trevor1 30 20160323.rvt

Plot Date: 23-Mar-16 12:35:36 PM





Plot Date: 23-Mar-16 12:35:37 PM

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Fax: +61 7 3252 1692

**ARCHITECTS**



scale 1 : 300

**Existing Conditions Plan**  
BAY HORIZONS  
PO BOX 3685  
LOGANHOLME QLD 4129  
11/26/15

Rev: A  
CQ3187

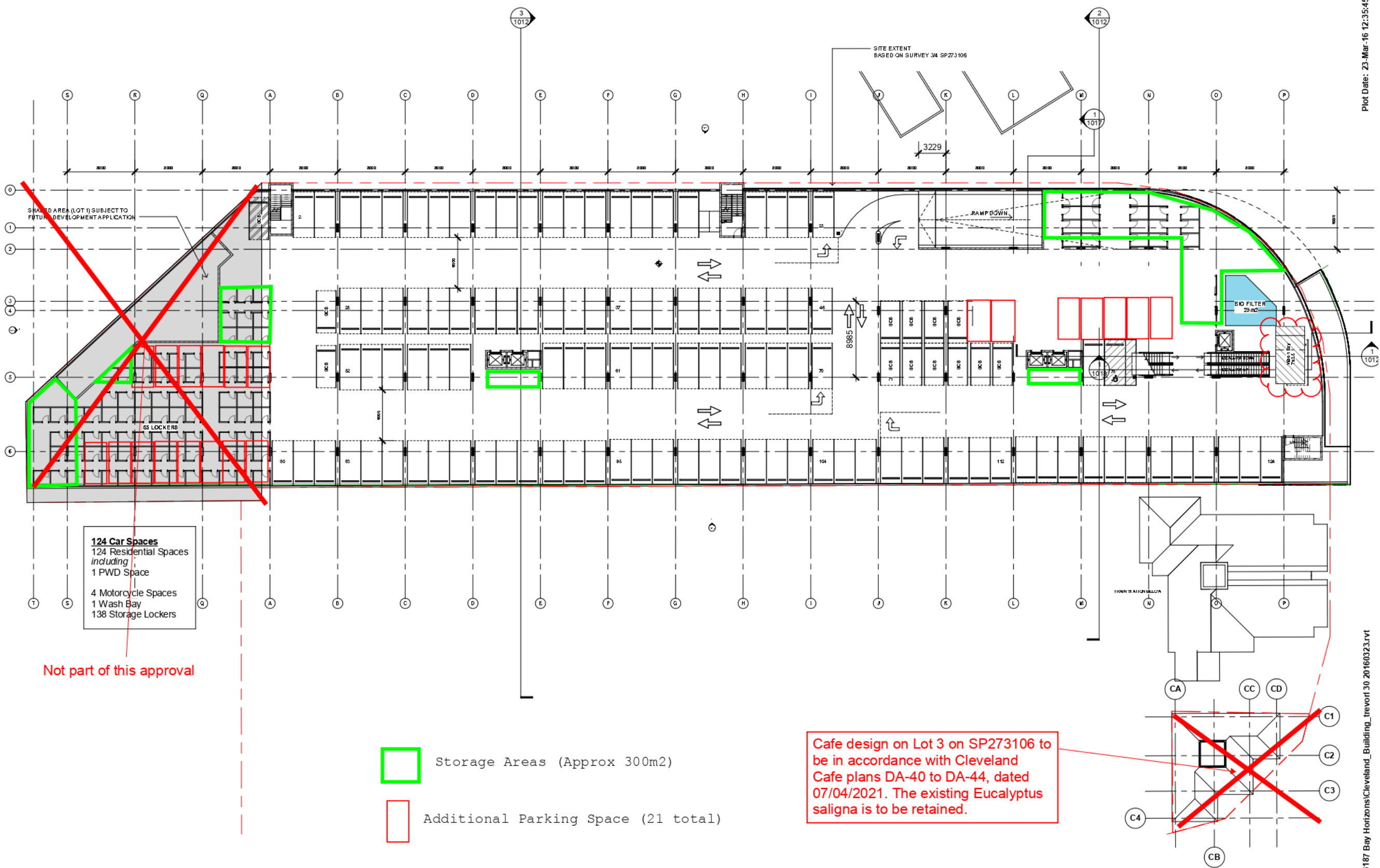
**SK1004**

**Development Application**









Not part of this approval

- Storage Areas (Approx 300m2)
- Additional Parking Space (21 total)

Cafe design on Lot 3 on SP273106 to be in accordance with Cleveland Cafe plans DA-40 to DA-44, dated 07/04/2021. The existing Eucalyptus saligna is to be retained.

Development Application

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scale 1: 200

Level 1 Rev: A  
BAY HORIZONS CQ3187  
PO BOX 3685  
LOGANHOLME QLD 4129 11/04/15  
@A1 SK1006

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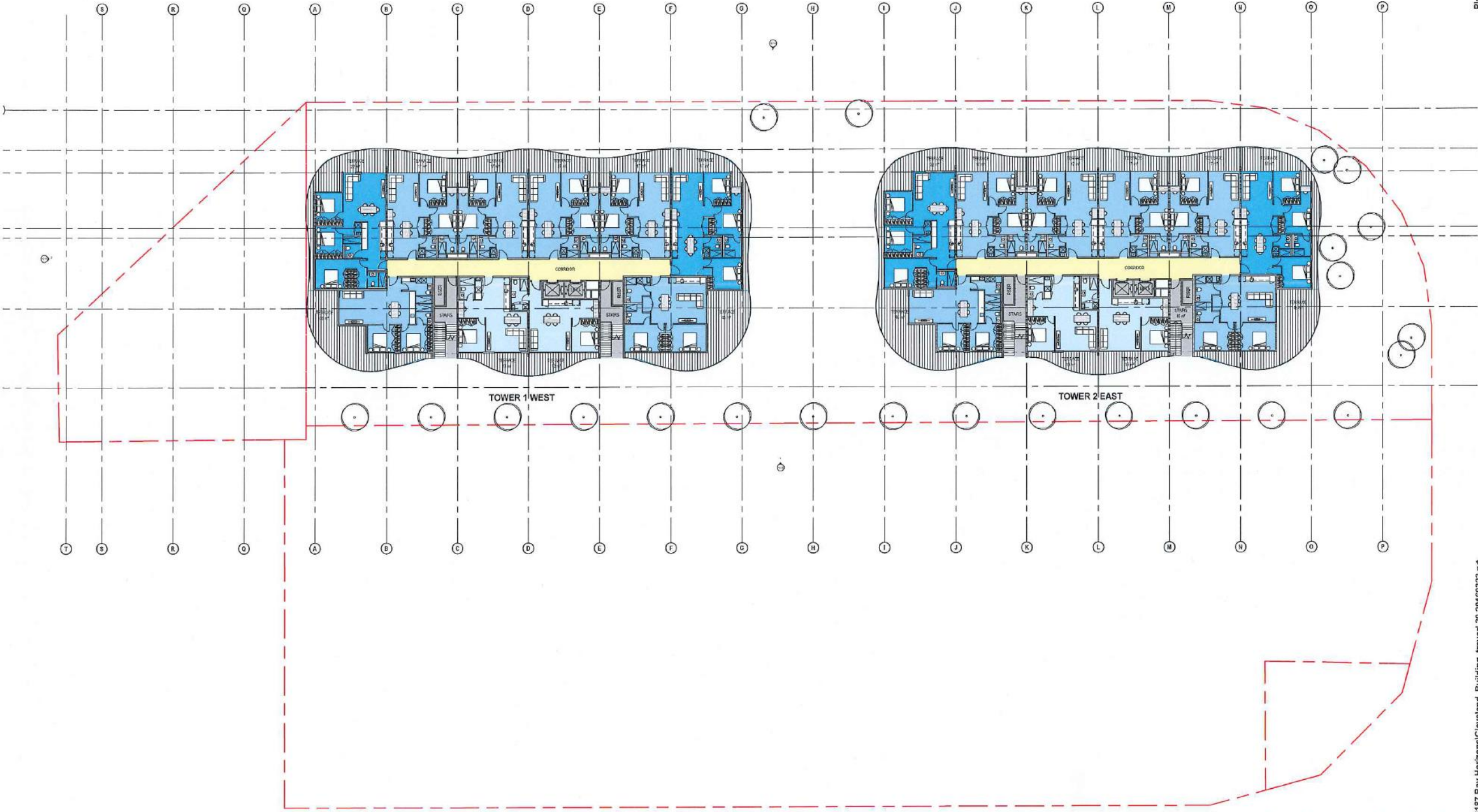
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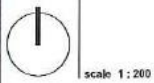




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**ARCHITECTS**



**Development Application**

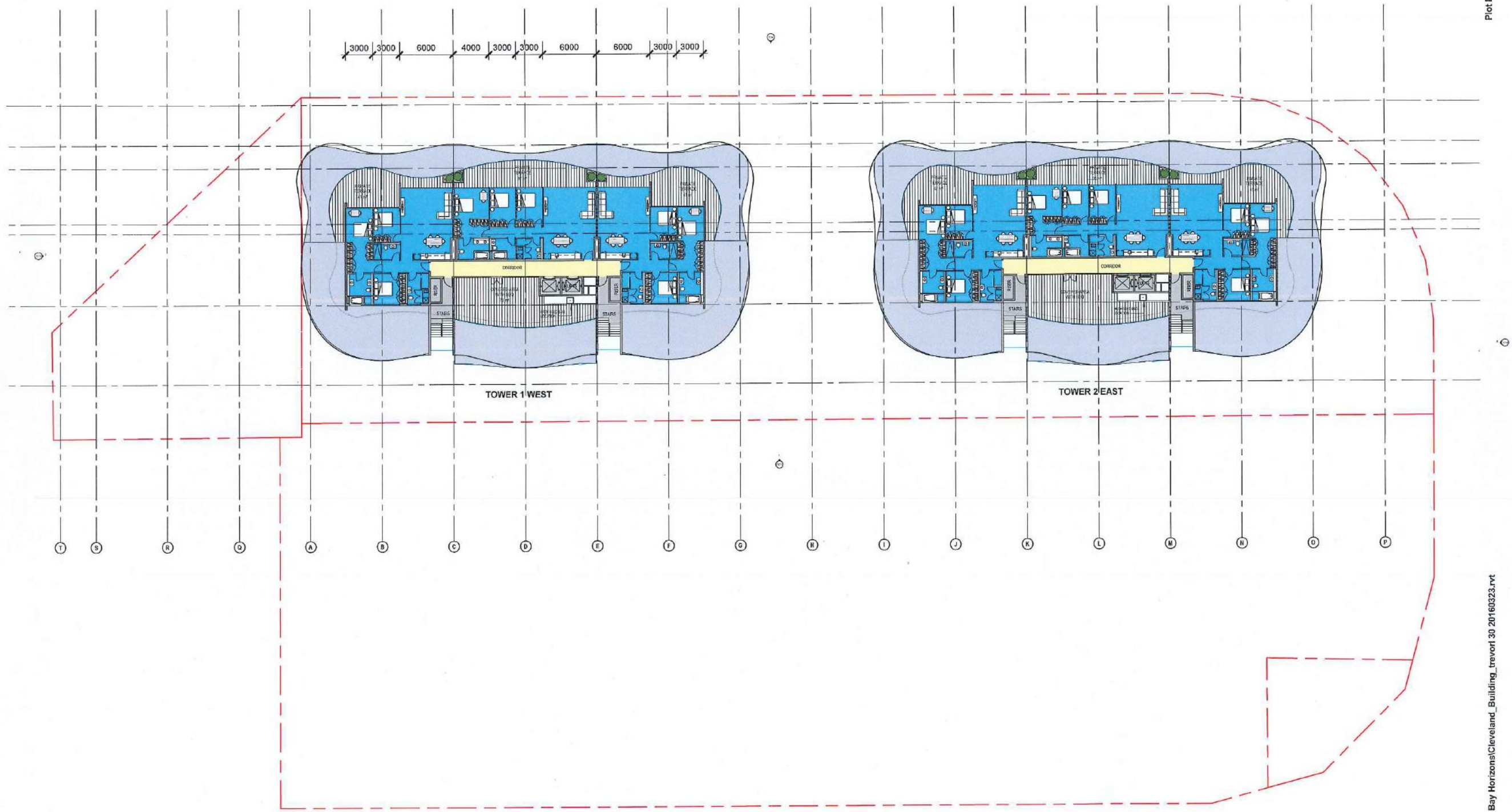
**Levels 3 - 7**  
BAY HORIZONS  
PO BOX 3685  
LOGANHOLME QLD 4129  
11/05/16

Rev: B  
CQ3187

**SK1008**

Cad File No: C:\01 - 3187 Bay Horizons\Cleveland\_Building\_trevor 30 20160323.rvt





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Ph: +61 7 3666 0401  
Fax: +61 7 3252 1692

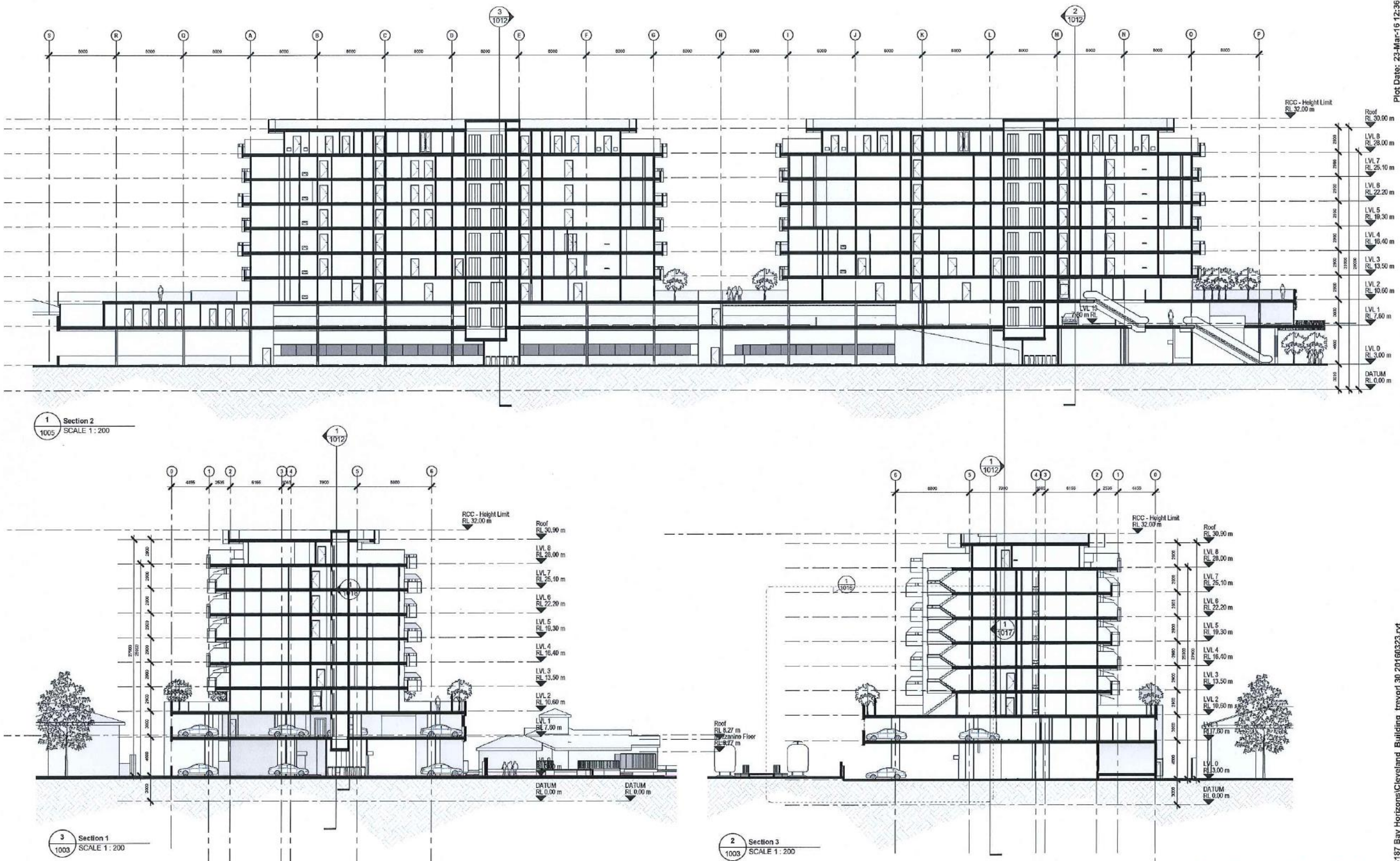


**Development Application**  
**Level 8 - Penthouses**  
BAY HORIZONS  
PO BOX 3685  
LOGANHOLME QLD 4129  
11/12/15  
Rev: A  
CQ3187  
**SK1009**

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Plot Date: 23-Mar-16 12:36:03 PM





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Brisbane, QLD 4006, Australia  
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Fax: +61 7 3252 1692

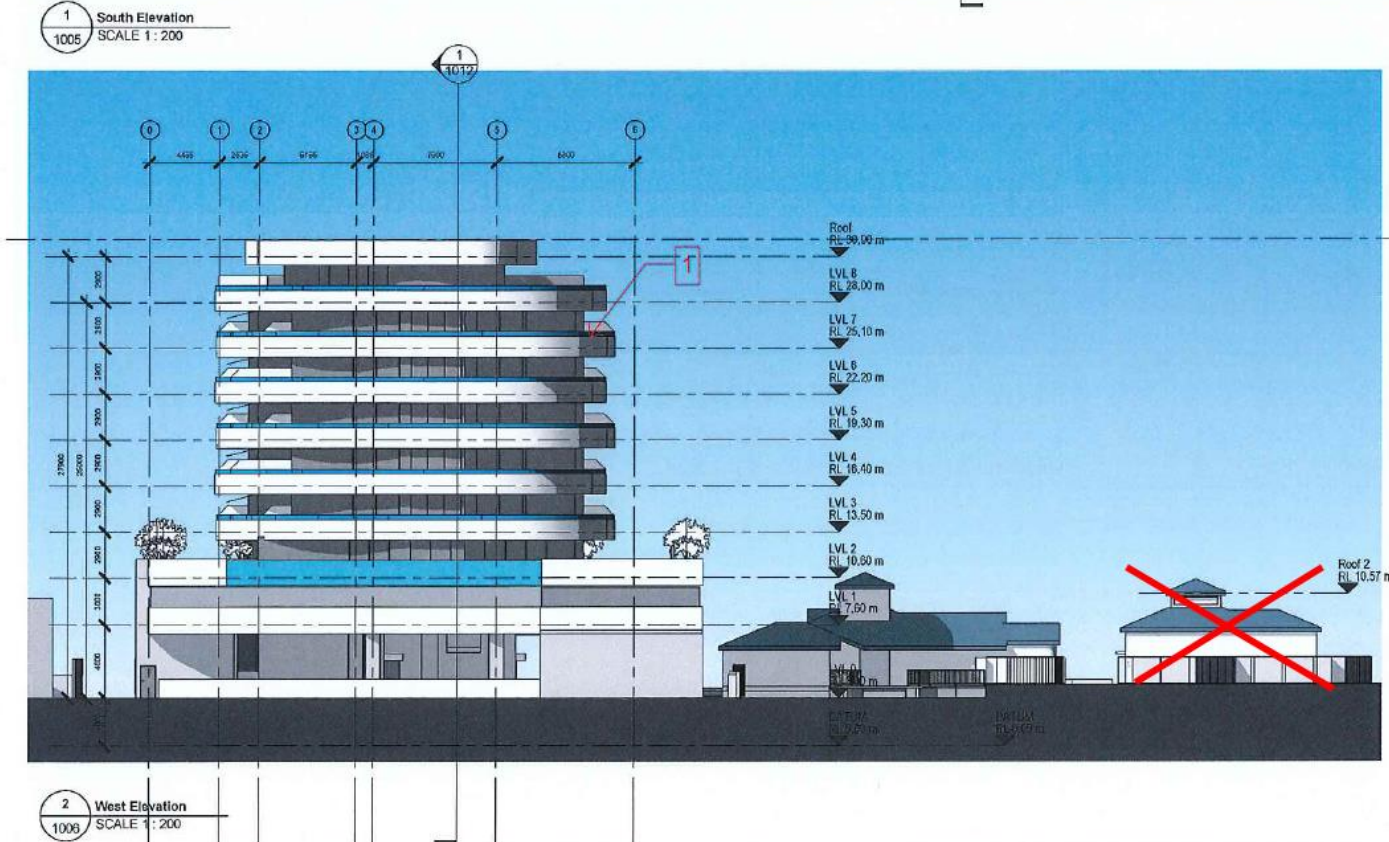


**Development Application**  
**Building Sections** Rev: C  
BAY HORIZONS CQ3187  
PO BOX 3585  
LOGANHOLME QLD 4129  
11/09/15  
**SK1012**





Plot Date: 23-Mar-16 12:37:33 PM



- KEY
- 1- GLASS TOP BALUSTRADE
  - 2- DECORATIVE POWDERCOATED ALUMINIUM SCREENS
  - 3- POWDERCOATED ALUMINIUM LOUVRES

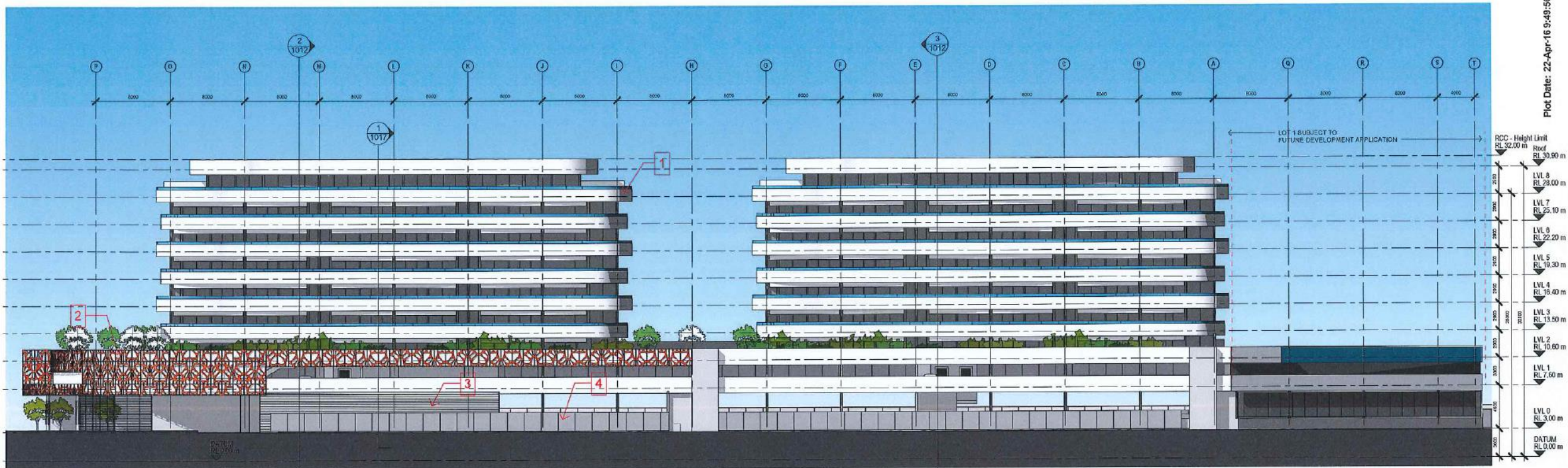
CRONE Suite 12/36 Agnes Street, Fortitude Valley  
ARCHITECTS Brisbane, QLD 4006, Australia  
Ph: +61 7 3666 0401  
Fax: +61 7 3252 1692

Envisage Environmental Management Pty Ltd  
scale 1: 200

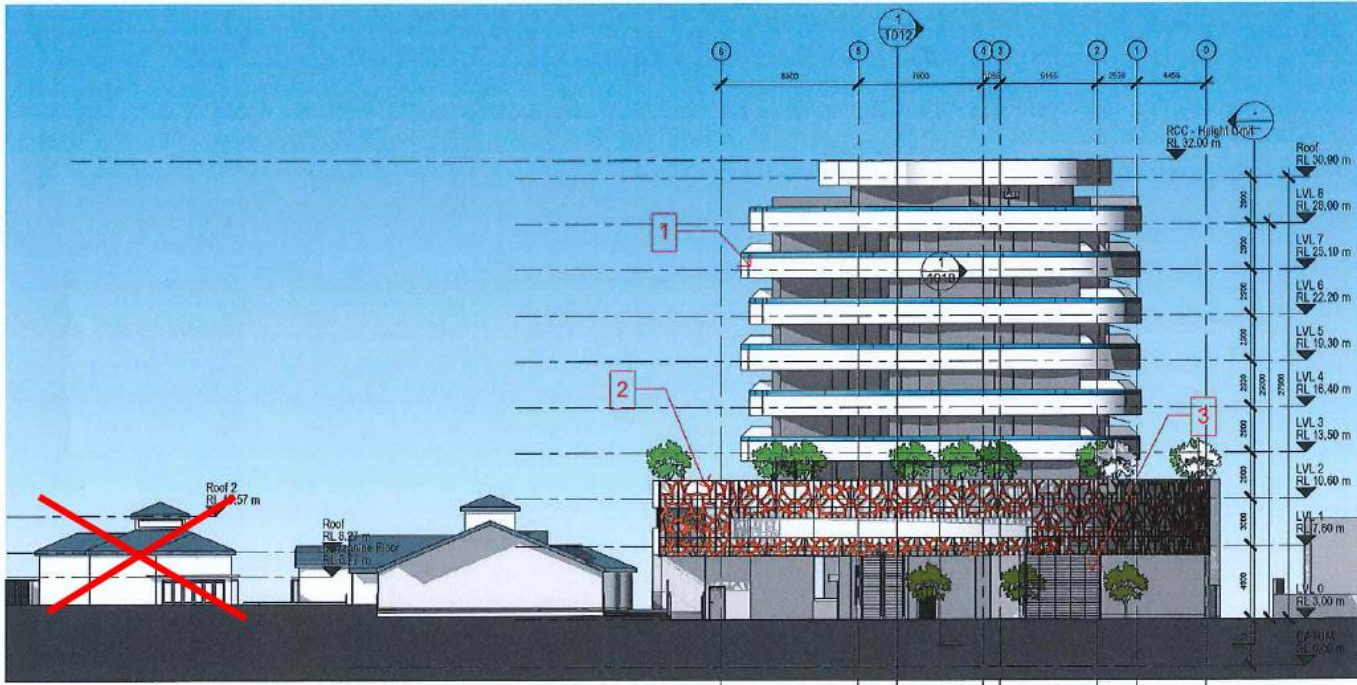
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Elevations 1 Rev: C  
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PO BOX 3685  
LOGANHOLME QLD 4129  
11/05/16  
SK1013

Cad File No: C:\01 - 3187 Bay Horizons\Cleveland\_Building\_trevor1 30 20160323.rvt





1 North Elevation  
SCALE 1 : 200



2 East Elevation  
SCALE 1 : 200

- KEY
- 1- GLASS TOP BALUSTRADE
  - 2- DECORATIVE POWDERCOATED ALUMINIUM SCREENS
  - 3- POWDERCOATED ALUMINIUM LOUVRES
  - 4- CHAIN WIRE MESH FENCE

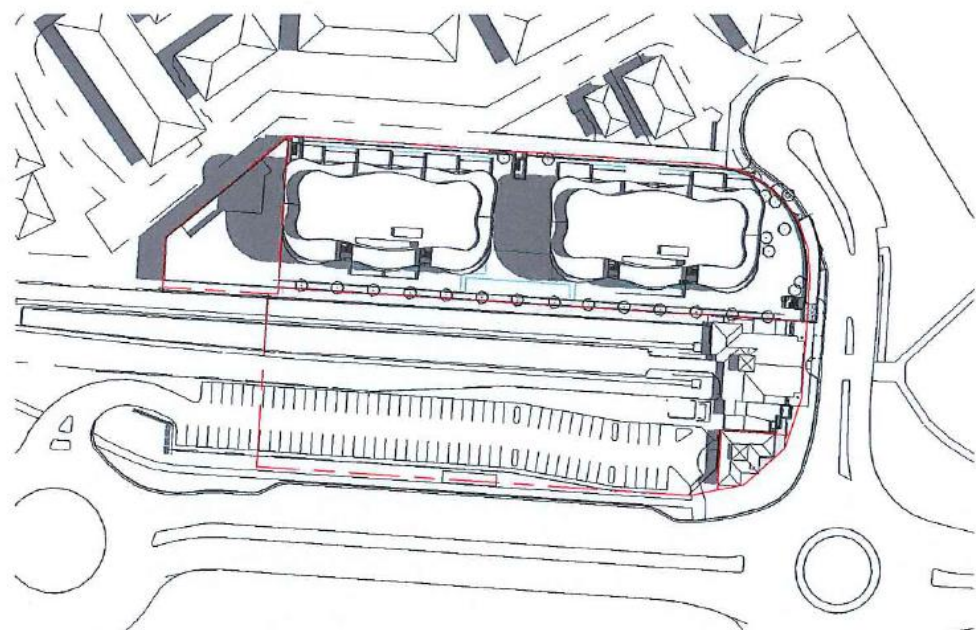
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ARCHITECTS Brisbane, QLD 4006, Australia  
Ph: +61 7 3666 0401  
Fax: +61 7 3252 1692



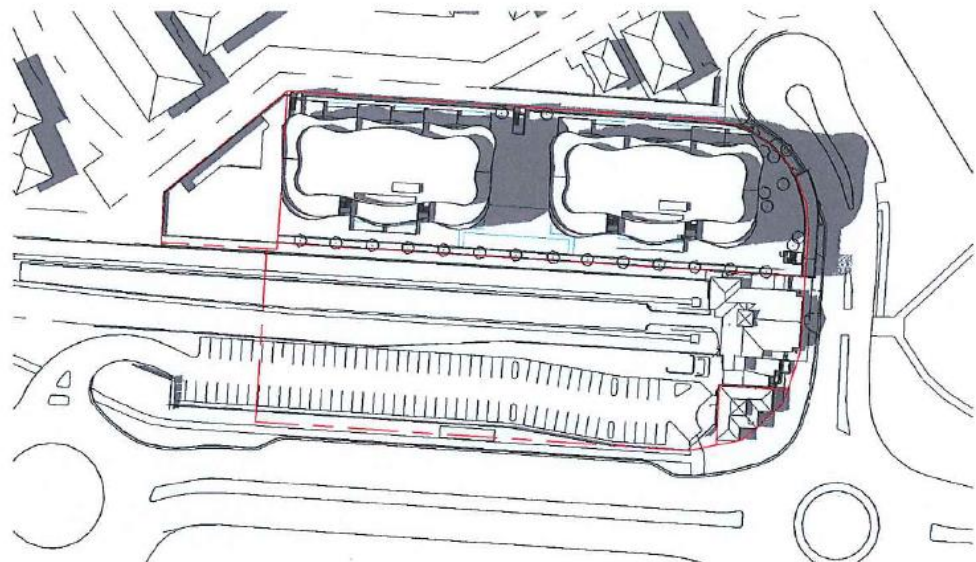
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Elevations 2 Rev: D  
BAY HORIZONS CQ3187  
PO BOX 3685  
LOGANHOLME QLD 4129 11/05/15  
SK1014

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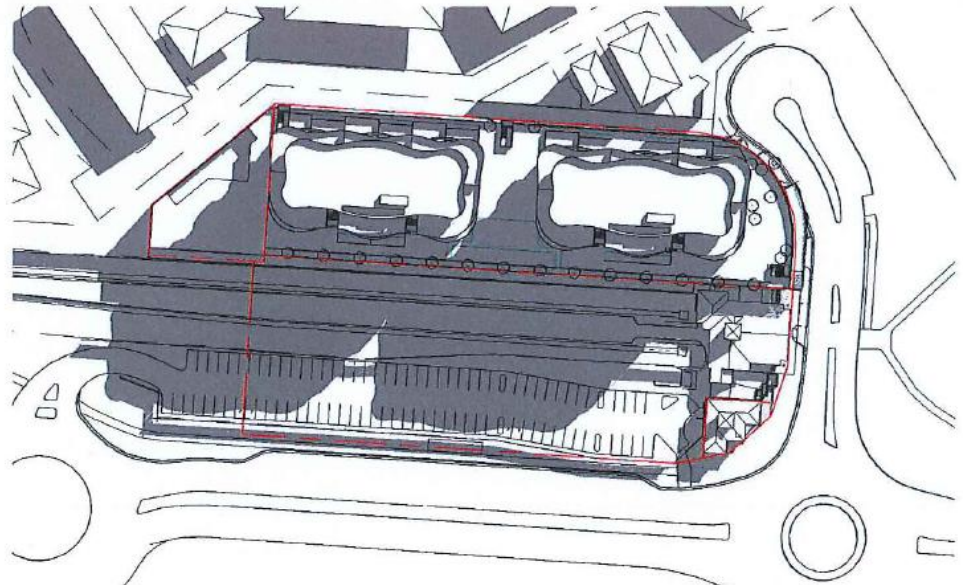




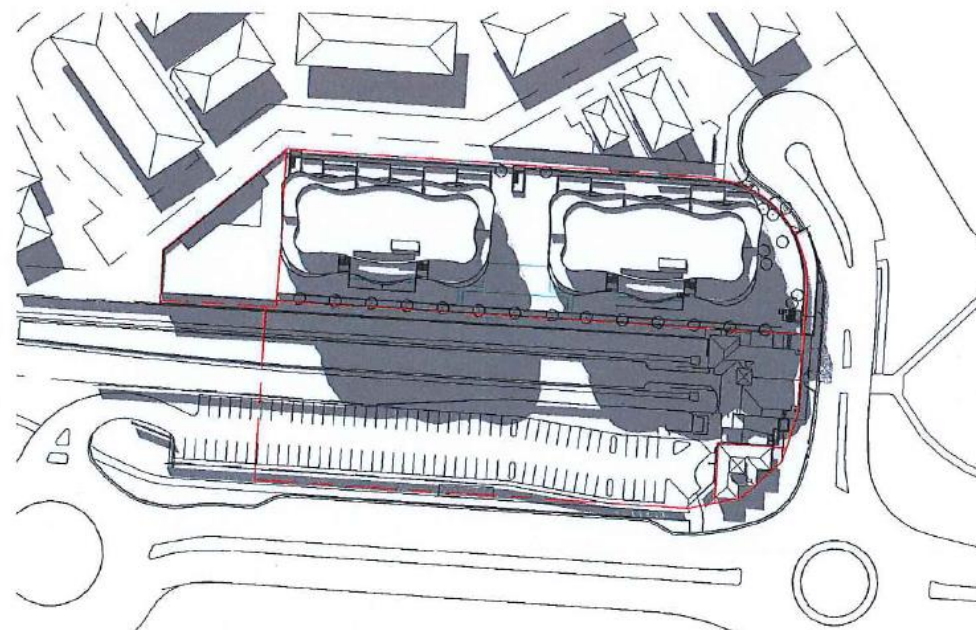
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2 Shadow Diagram 21st Dec 3pm  
1012 SCALE 1: 750

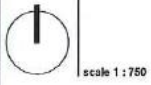


5 Shadow Diagram 21st June 9am  
1012 SCALE 1: 750



6 Shadow Diagram 21st June 1pm  
1012 SCALE 1: 750

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ARCH+ Brisbane, QLD 4006, Australia  
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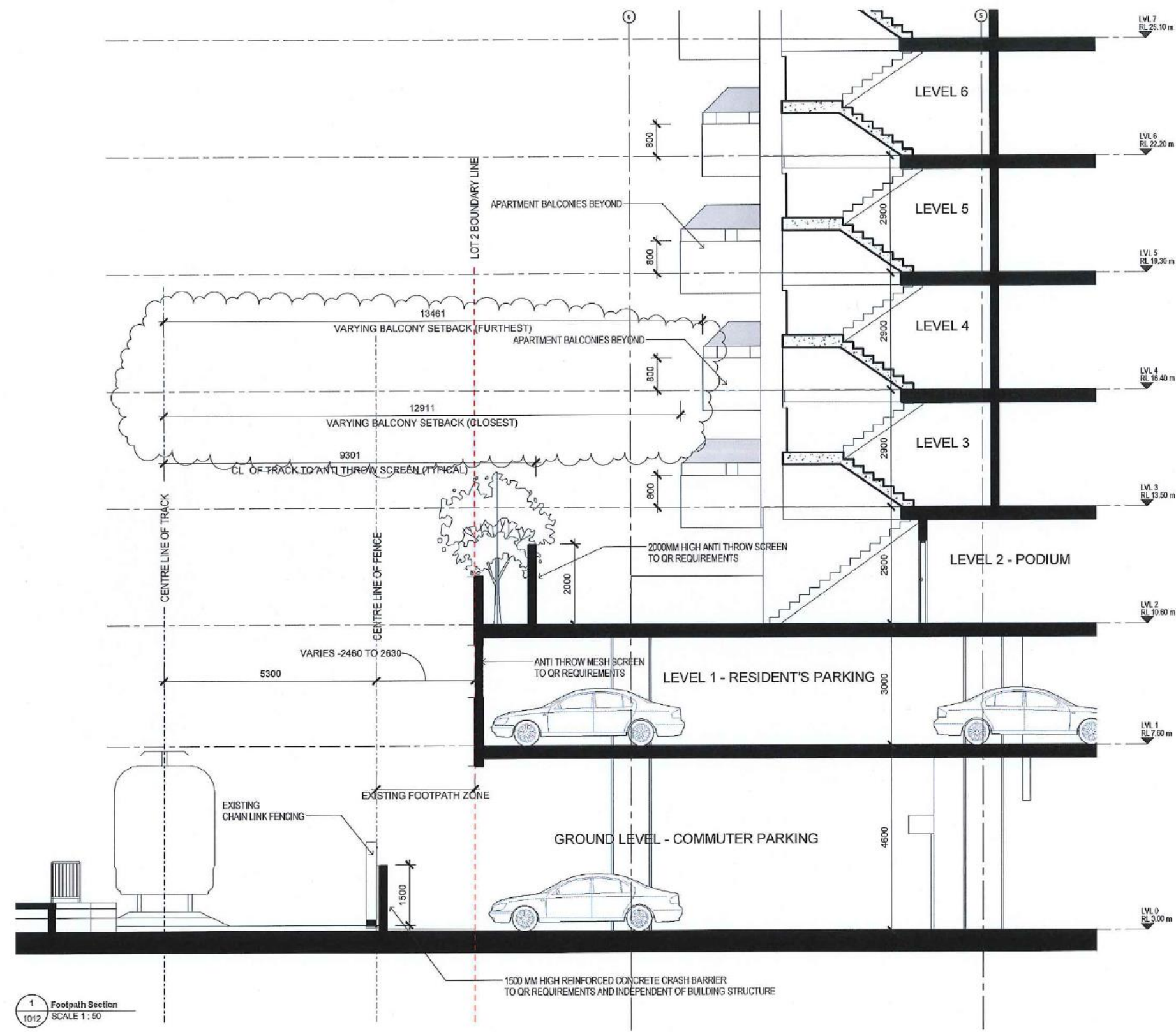


**Development Application**  
**Shadow Diagrams** Rev: B  
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PO BOX 3686  
LOGANHOLME QLD 4129 11/09/15  
@A1 SK1015

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BAY HORIZONS  
PO BOX 3685  
LOGANHOLME QLD 4129  
03/01/16

CQ3187  
**SK**

SK1017

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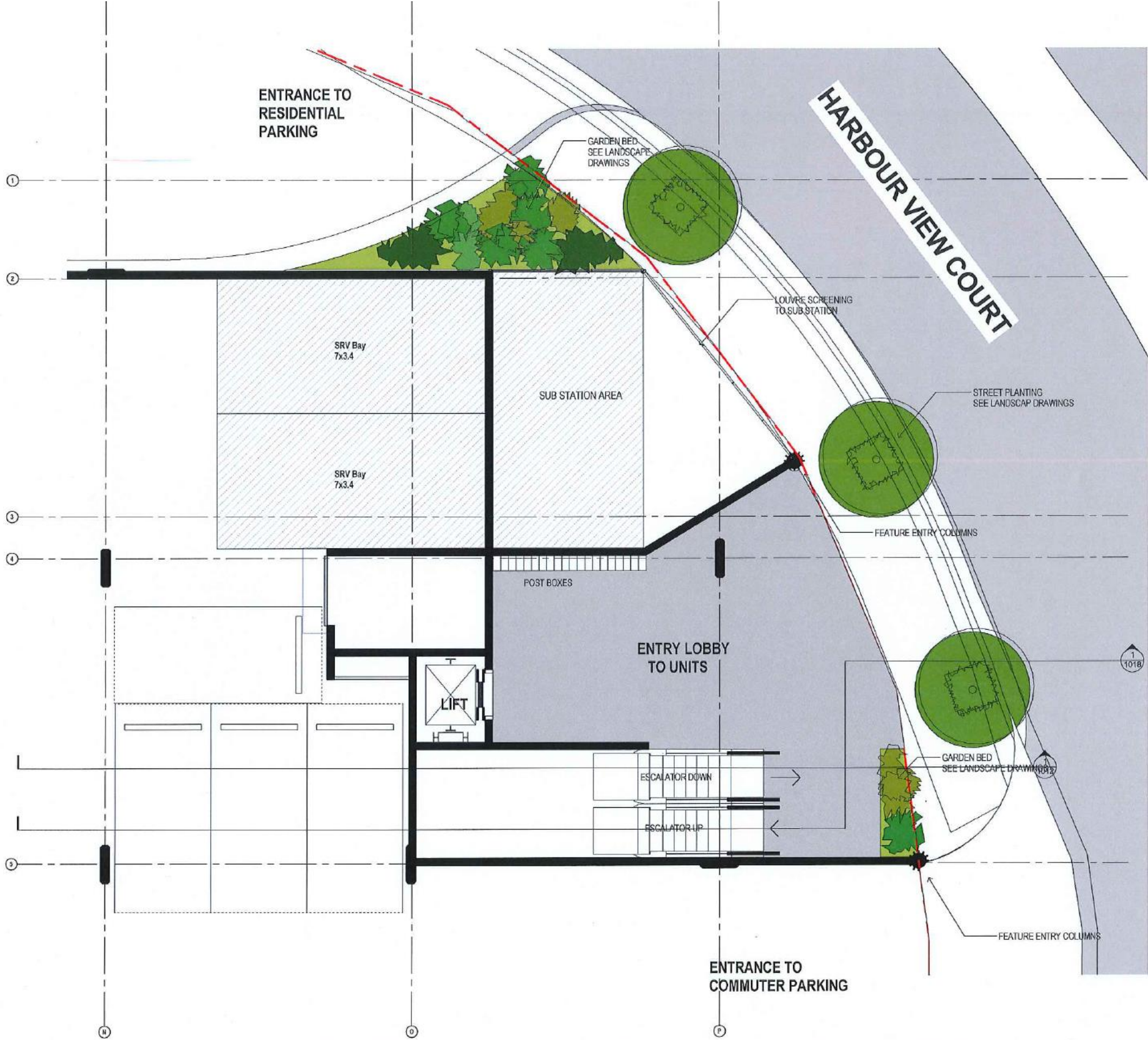




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SK1018





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**Entry Lobby**  
BAY HORIZONS  
PO BOX 3685  
LOGANHOLME QLD 4129  
03/14/16

Rev: A  
CQ3187

**SK1019**

Cad File No: C:\01 - 3187 Bay Horizons\Cleveland\_Building\_trevor 30 20160323.rvt

Plot Date: 23-Mar-16 12:39:06 PM





1 3D Perspective 1  
SCALE



2 3D Perspective 2  
SCALE



3 3D Perspective 3  
SCALE



4 3D Perspective 4  
SCALE

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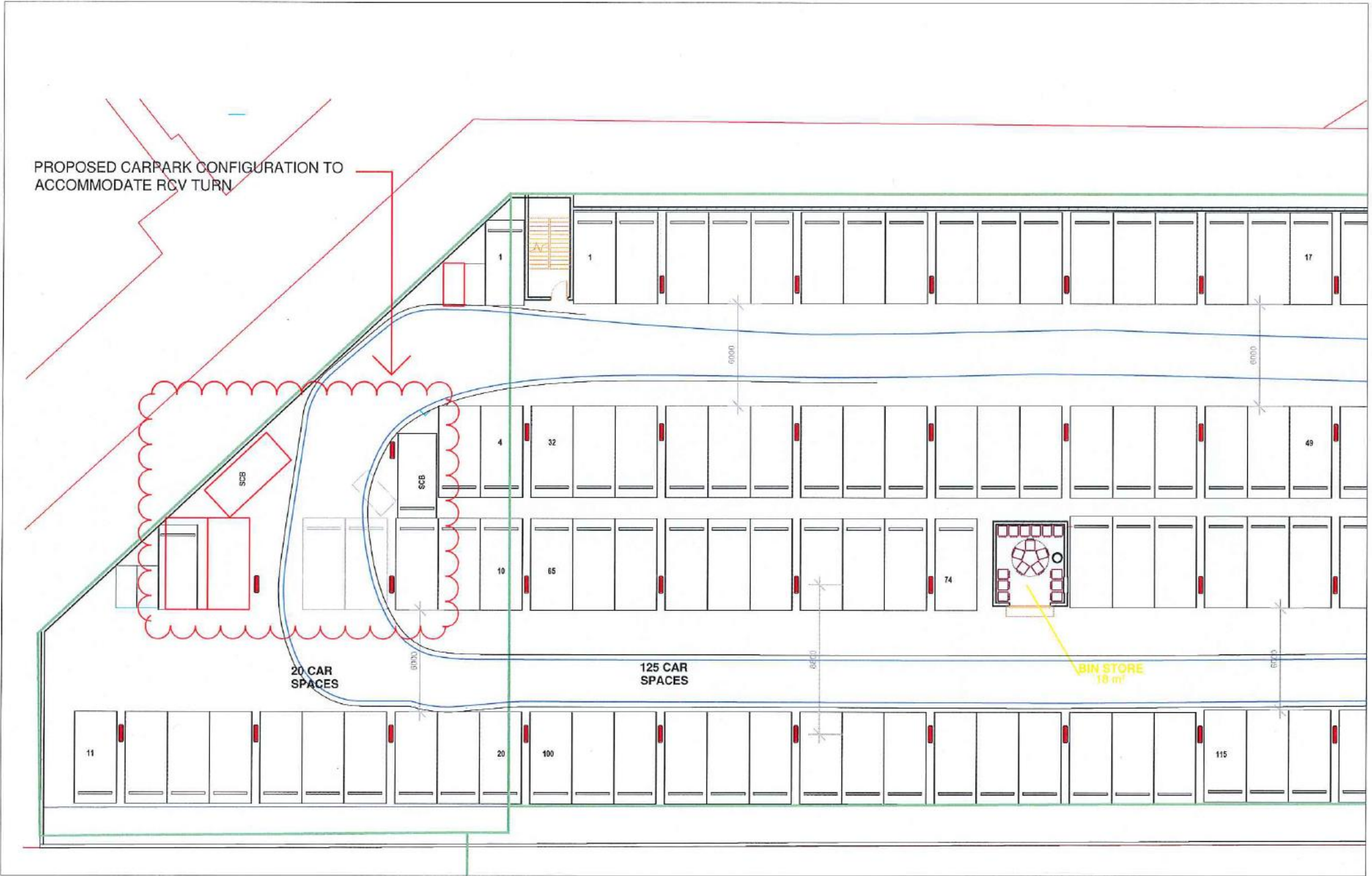
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ARCH+ Brisbane, QLD 4006, Australia  
TECH Ph: +61 7 3866 0401  
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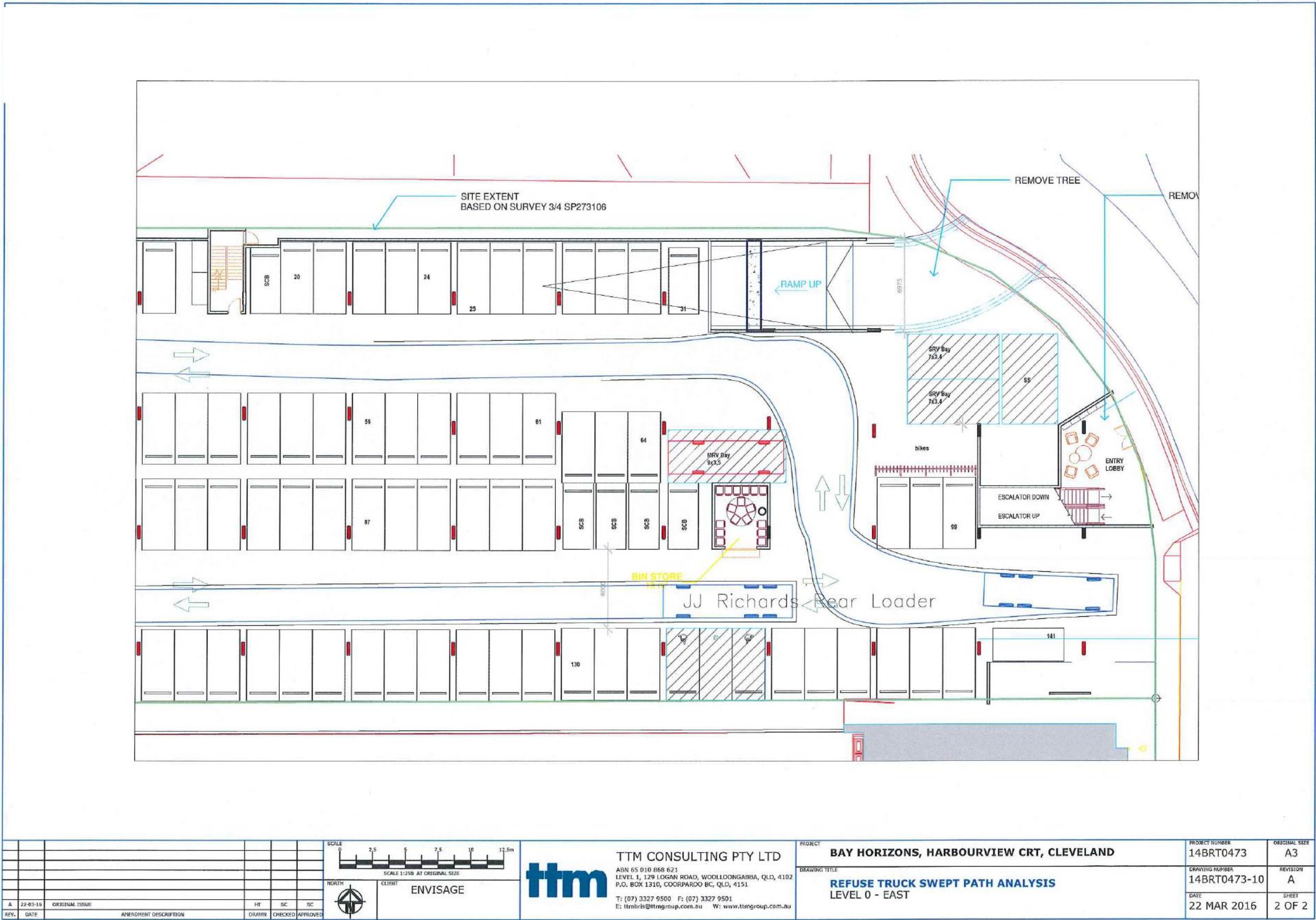
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**Development Application**  
**External Perspectives** Rev: C  
BAY HORIZONS CQ3187  
PO BOX 3685  
LOGANHOLME QLD 4129 11/09/15  
@A1 SK1030





										<p>PROJECT <b>BAY HORIZONS, HARBOURVIEW CRT, CLEVELAND</b></p> <p>DRAWING TITLE <b>REFUSE TRUCK SWEEP PATH ANALYSIS LEVEL 0 - WEST</b></p>		<p>PROJECT NUMBER <b>14BRT0473</b></p> <p>DRAWING NUMBER <b>14BRT0473-10</b></p> <p>DATE <b>22 MAR 2016</b></p>	<p>ORIGINAL SIZE <b>A3</b></p> <p>REVISION <b>A</b></p> <p>SHEET <b>1 OF 2</b></p>
				<p>SCALE 1:250 AT ORIGINAL SIZE</p>		<p>CLIENT <b>ENVISAGE</b></p>		<p>TTM CONSULTING PTY LTD ABN 65 010 868 621 LEVEL 1, 129 LOGAN ROAD, WOOLLOONGABBA, QLD, 4102 P.O. BOX 1310, COORPAROO BC, QLD, 4151 T: (07) 3327 9500 F: (07) 3327 9501 E: ttmbis@ttmgroup.com.au W: www.ttmgroup.com.au</p>					
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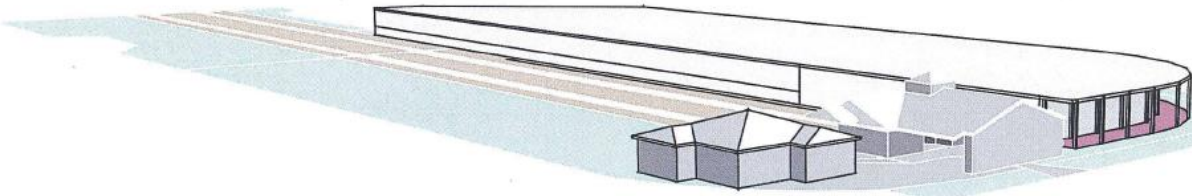




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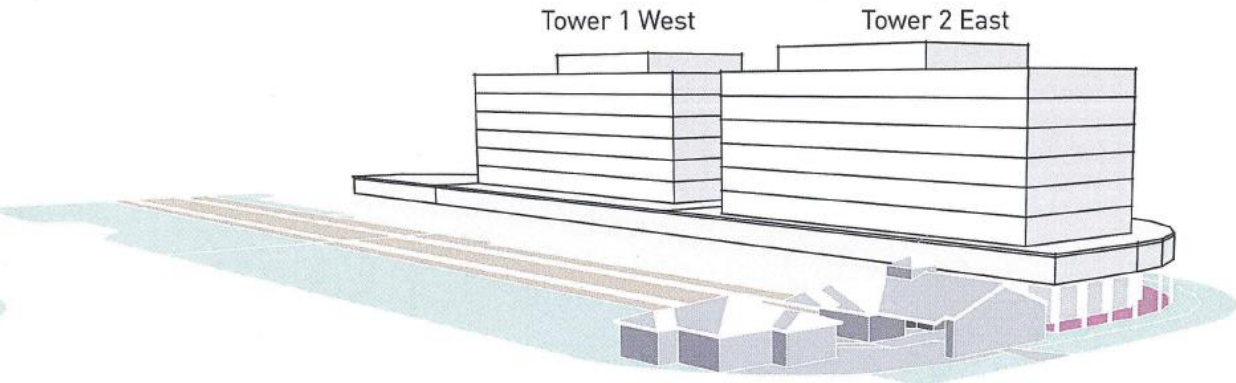
Project Staging Plan

RECEIVED  
14 JUN 2016  
PLANNING ASSESSMENT



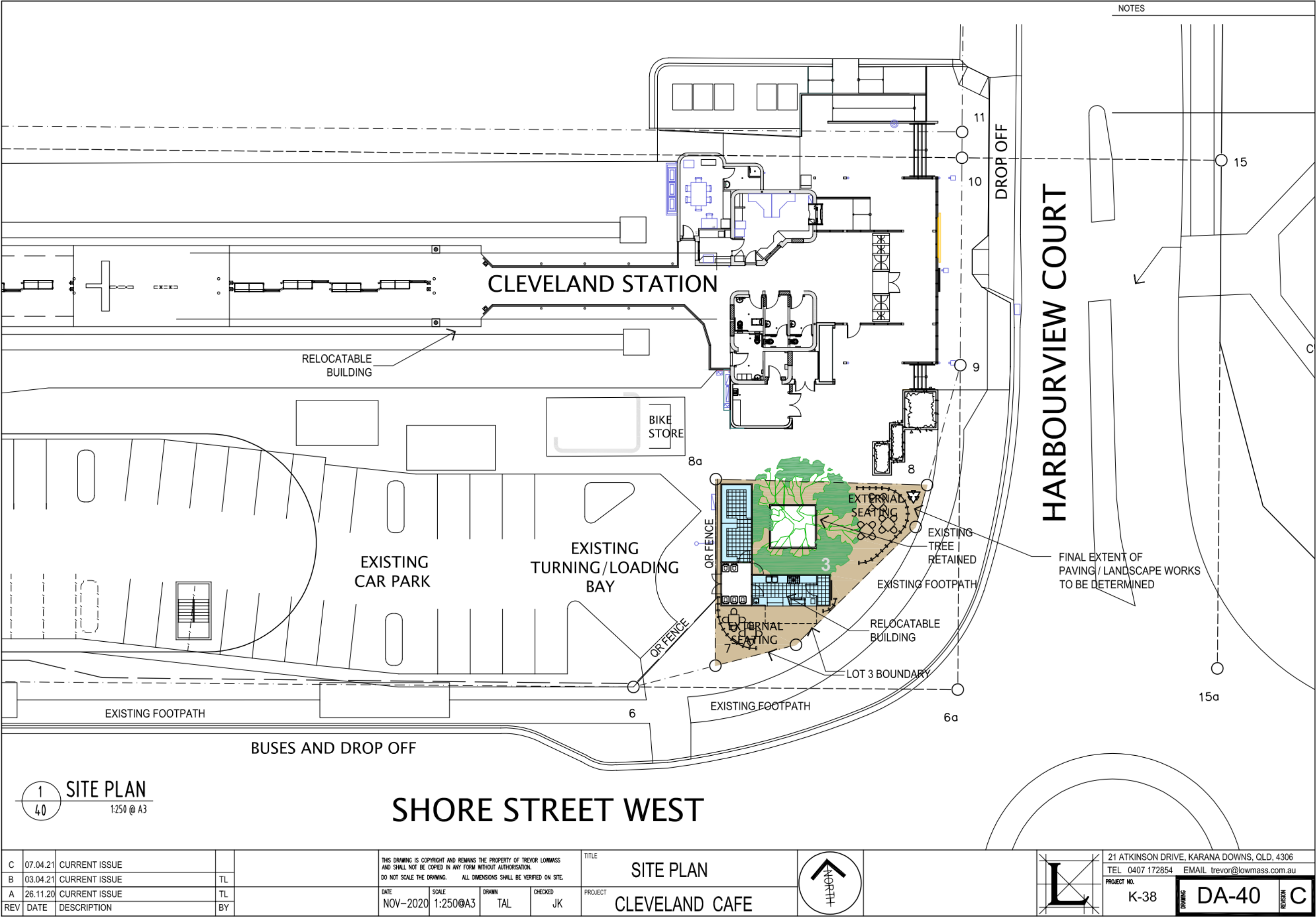
Stage 1 - Construction Lease

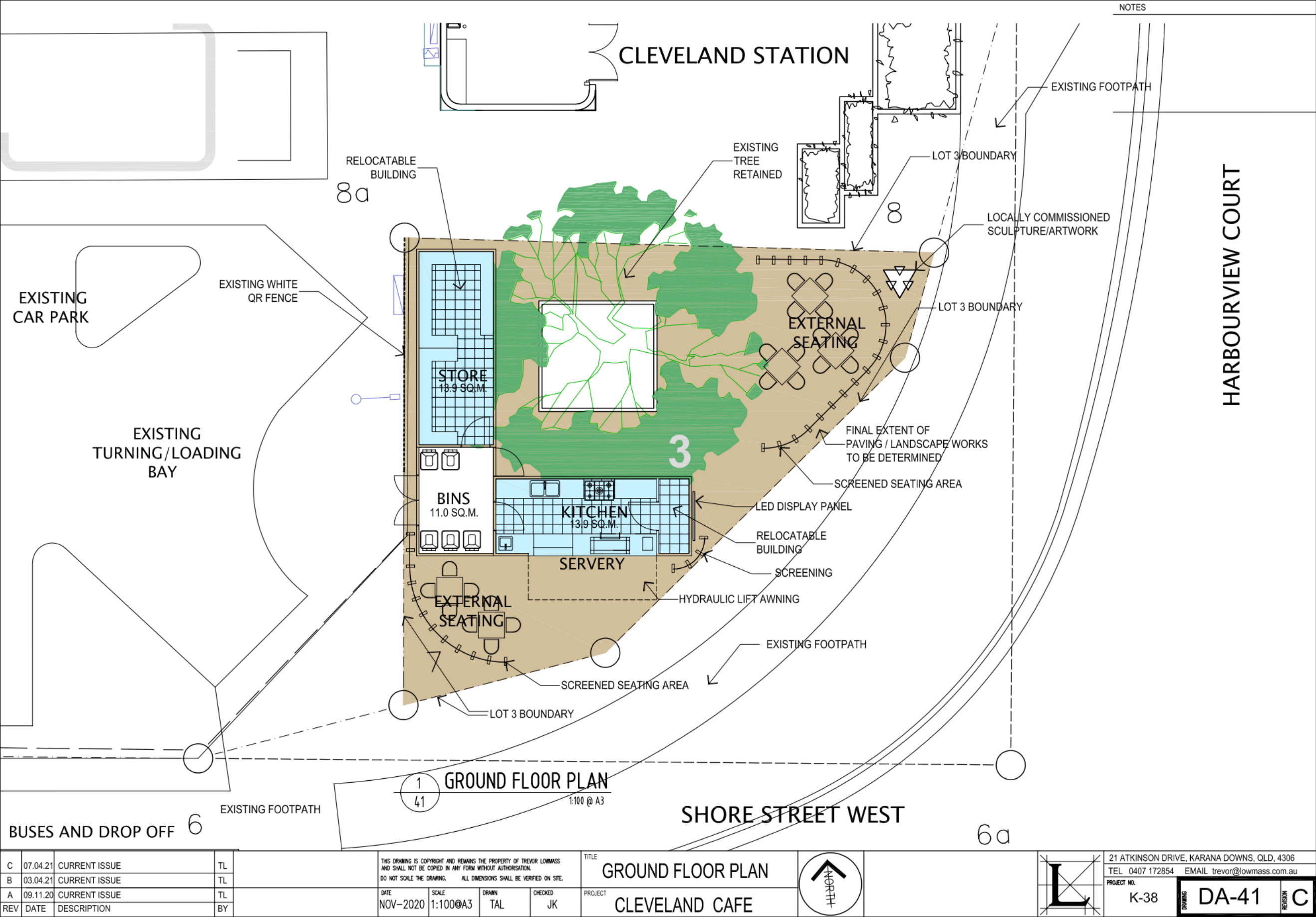
- Lot 1 - Commuter Car Park Upgrade (Returnable Works)
- Lot 3 - Retail (Developer Works)



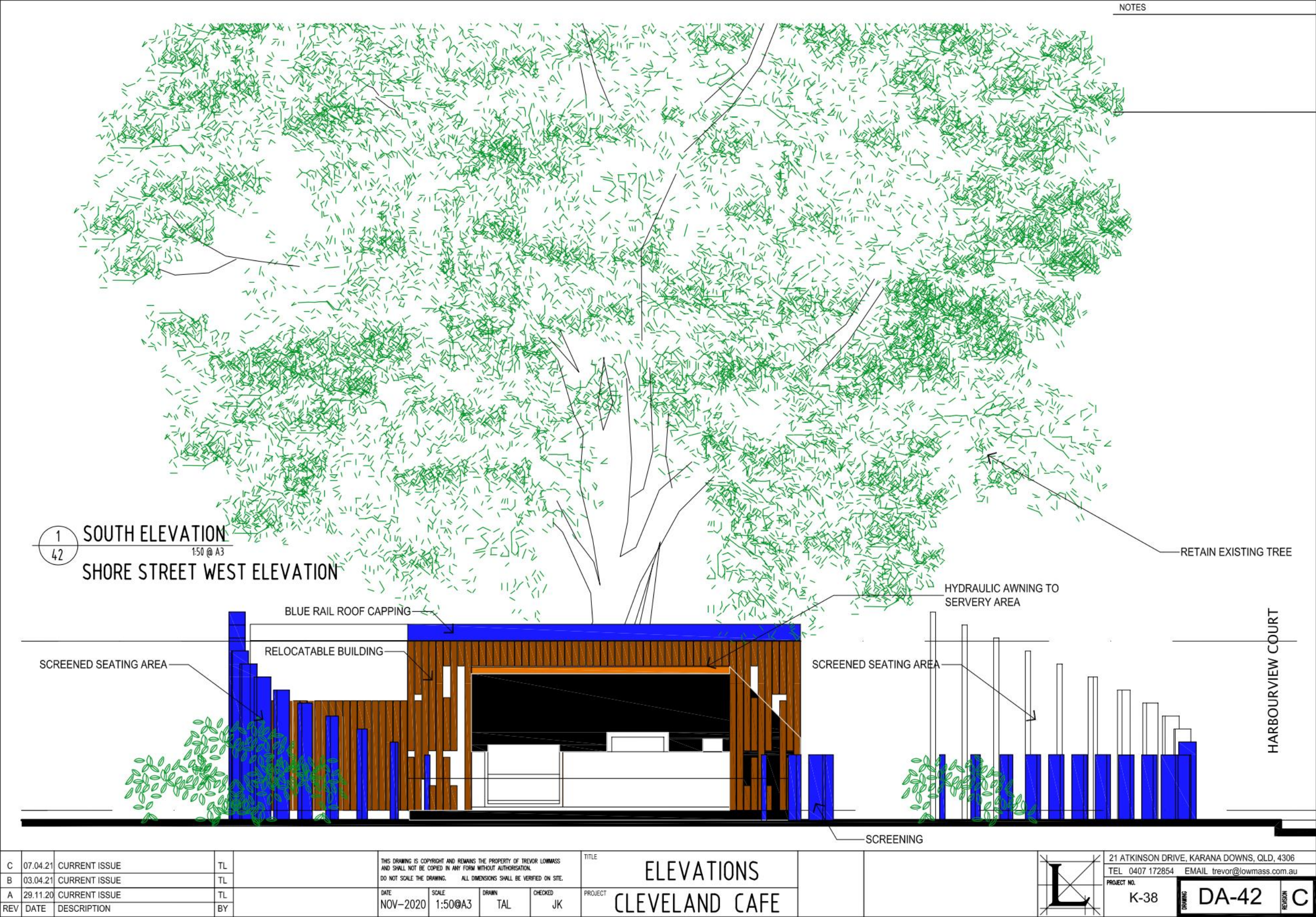
Stage 2 - (Freehold on P.C of Returnable Works)

- Lot 2 - Residential Car Park
- Podium
- Tower 1 West
- Tower 2 East

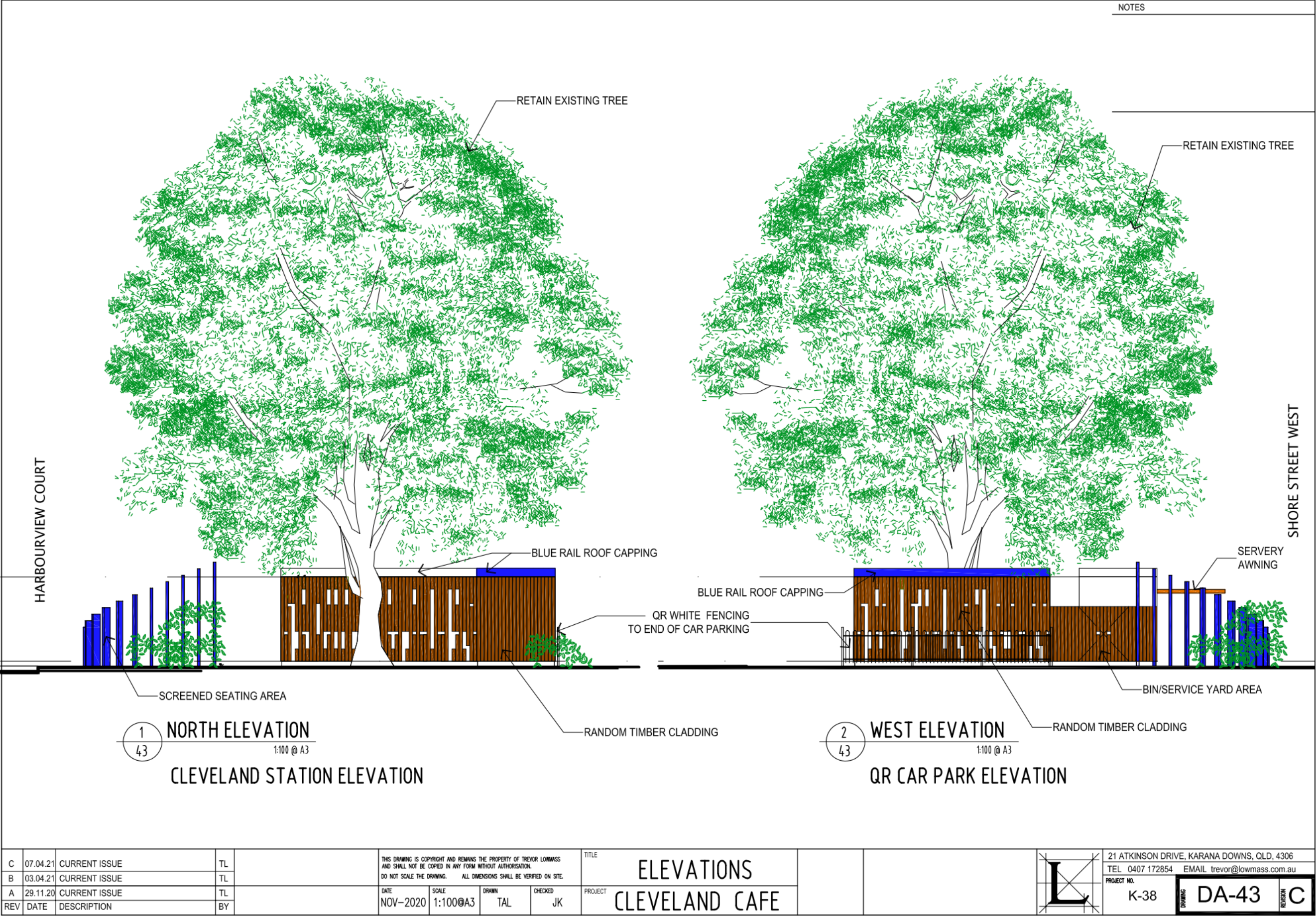




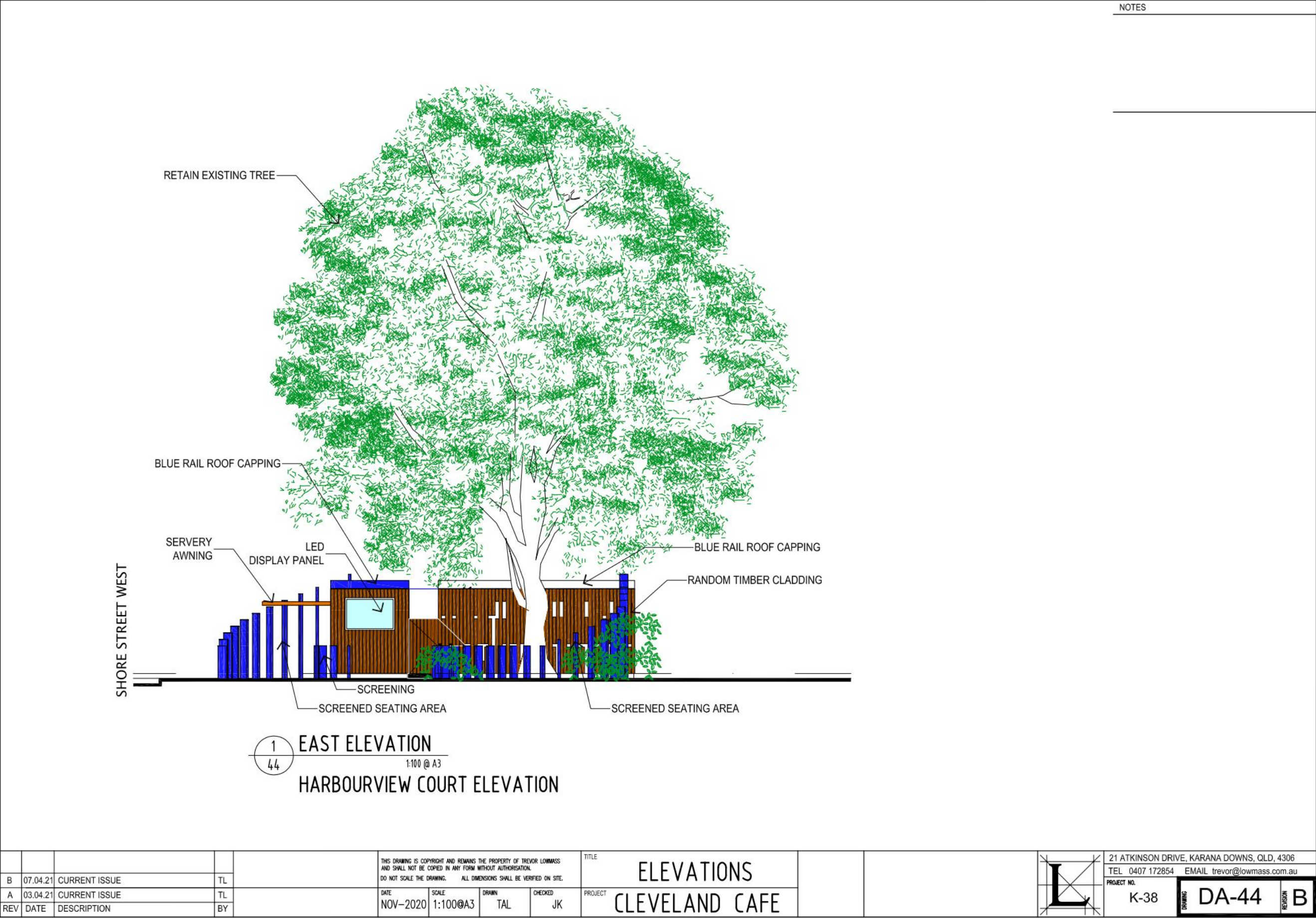












**Infrastructure Agreement  
4 Harbourview Court and 144A Shore  
Street West, Cleveland**

**Envisage Development Management Pty Ltd**  
ACN 123 579 895

and

**REDLAND CITY COUNCIL**

---

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1.2	Land means:	1
1.3	Works means:	2
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---

## This Infrastructure Agreement

is made the 20 day of December 2019 between the following parties:

1 **Envisage Development Management Pty Ltd ACN 123 579 895**  
of Tamworth, New South Wales  
(Developer)

AND

2 **Redland City Council** of Corner Bloomfield & Middle Streets,  
Cleveland, Queensland.(Council)

### Recitals

- A. The Developer has lodged a Development Application over the Development Land.
- B. The State of Queensland (Department of Transport and Main Roads) is the owner of the Development Land.
- C. The Council is the trustee of the Temporary Works Land.
- D. Temporary Works are required for the Development to happen pursuant to the Development Approval (MCU013612).
- E. The Development Obligations require Temporary Works to be provided before the Development commences at 4 Harbourview Court, Cleveland (Lot 2 on SP273106).
- F. The Developer will be responsible for further Development Application/s necessary to provide for the Temporary Works.

### The parties agree

that in consideration of, among other things, the mutual promises contained in this Agreement:

---

## 1 Definitions and Interpretation

### 1.1 Definitions

In this Agreement:

**Agreement** means this agreement and includes any annexure, exhibit and schedule to this agreement;

**Business Day** has the meaning given to it in the *Acts Interpretation Act 1954* (Qld);

**Conditions of Approval** means the conditions of the Development Approval;

**Contaminant** means a substance that:



- (a) presents a risk of harm to human health or any aspect of the environment;
- (b) gives rise to any Environmental Liability; or
- (c) could result in an Authority issuing a notice in respect of the substance, and Contamination, Contaminated and Contaminate have corresponding meanings.

**Council** means Redland City Council;

**Developer** means Envisage Development Management Pty Ltd ACN 123 579 895

**Developer Obligations** means all obligations of the Developer pursuant to and identified in this agreement, including the Maintenance Obligations.

**Development** means the 'development', as defined in SPA, for which the Development Approval has been obtained;

**Development Application** means the development application described in Redland planning scheme;

**Development Approval** means the development approval described in Schedule 2;

**Development Land** means the land described in Schedule 2;

**Development Obligations** means those obligations set out in Clause 3.1;

**Force Majeure** means an event:

- (a) being a decree of the Commonwealth Government or the State Government, an act of God, industrial disturbance, act of public enemy, war, international blockage, public riot, lightning, flood, earthquake, fire, storm or other event whether of a kind herein specified or otherwise; and
- (b) which is not within the reasonable control of the party claiming Force Majeure; and
- (c) which could not have been prevented by the exercise by that party of a standard of foresight, care and diligence consistent with that of a prudent and competent person under the circumstances;

**Infrastructure Offset** means as defined in Schedule 1 (Special Conditions);

**Infrastructure Refund** means defined in Schedule 1 (Special Conditions);

**Infrastructure or Infrastructure Item** means improvements to parking for community and or commuter purposes;

**No Claim** includes no claim for money, compensation or adjustment to any Agreed Amount or for any cost, expense, loss or damage of any kind;

**Owner** means the owner of the Development Land for the time being;

**Practical Completion** means that stage in the execution of the Works when:

- (a) The works are complete except for minor omissions and minor defects:
  - i. which do not prevent the Works from being reasonably capable of being used for their intended purpose; and
  - ii. which the Council determines the Developer has reasonable grounds for not promptly rectifying; and

- iii. rectification for which will not prejudice the convenient use of the Works; and
- (b) those tests which are required by the Contract to be carried out and passed before the Works reach Practical Completion have been carried out and passed; and
- (c) documents and other information required under the Contract which, in the opinion of the Council are essential for the use, operation and maintenance of the Works have been supplied;

**SPA** means the *Sustainable Planning Act 2009*;

**Special Conditions** means the special conditions in Schedule 1; and

**Temporary Works Land** means the portion of Crown land under trusteeship of the Council described in Schedule 2;

**Works** means the Temporary Works described in Schedule 2.

## 1.2 Interpretation

In this Agreement, headings and bold type are for convenience only and do not affect the interpretation of this Agreement and, unless the context otherwise requires:

- (a) words importing the singular include the plural and vice versa;
- (b) words importing a gender include any gender;
- (c) other parts of speech and grammatical forms of a word or phrase defined in this Agreement have a corresponding meaning;
- (d) an expression importing a natural person includes any company, partnership, joint venture, association, corporation or other body corporate and any Government Agency;
- (e) a reference to any thing (including any right) includes a part of that thing but nothing in this clause (e) implies that performance of part of an obligation constitutes performance of the obligation;
- (f) a reference to a clause, party, annexure, exhibit or schedule is a reference to a clause of, and a party, annexure, exhibit and schedule to, this Agreement;
- (g) a reference to a statute, regulation, proclamation, ordinance or by-law includes all statutes, regulations, proclamations, ordinances or by-laws amending, consolidating or replacing it, whether passed by the same or another Government Agency with legal power to do so, and a reference to a statute includes all regulations, proclamations, ordinances and by-laws issued under that statute;
- (h) a reference to a document (including reference to the Development Approval) includes all amendments or supplements to, or replacements or novations of, that document;
- (i) a reference to a party to a document includes that party's successors and permitted assigns;
- (j) a reference to an agreement other than this Agreement includes an undertaking, deed, agreement or legally enforceable arrangement in writing;

- (k) a reference to a document includes any agreement in writing, or any decision notice, other notice, certificate, instrument or other document of any kind;
- (l) all references to "\$" and "dollars are to the lawful currency of Australia;
- (m) all references to dates and times are to Brisbane time; and
- (n) no provision of this Agreement will be construed adversely to a party solely on the ground that the party was responsible for the preparation of this Agreement or that provision.
- (o) an agreement on the part of two or more persons binds them jointly and severally.

### 1.3 Inclusive expressions

Specifying anything in this Agreement after the words "includes" or "for example" or similar expressions does not limit what else is included unless there is express wording to the contrary.

### 1.4 Business Day

Where the day on or by which any thing is to be done is not a Business Day, that thing must be done on or by the next Business Day.

### 1.5 Trustee

A party which is a trustee is bound both personally and in its capacity as trustee.

### 1.6 Liability of Venturers

If a party consists of more than one person:

- (a) an Obligation of those persons is a joint Obligation of all of them and a several Obligation of each of them;
- (b) a Right given to those persons is a Right given jointly and severally to each of them, and if exercised by one of them, is deemed to be exercised jointly; and
- (c) a representation, warranty or undertaking made by those persons is made by each of them.

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## 2 Infrastructure Agreement

### 2.1 Application of Act

This document is intended to constitute an infrastructure agreement pursuant to s.670 of SPA. In particular, this is an agreement about conditions pursuant to s.348 of SPA to the extent it is an agreement about conditions for the supply of infrastructure.

**2.2 Sale of the Land (Not Used)****2.3 Infrastructure Conditions**

- (a) The Development Approval contains conditions relating to Infrastructure Items.
- (b) The Developer accepts that the conditions of approval are appropriate to assist the Development to happen and, as the Development Approval has taken effect in accordance with the provisions of SPA, the Developer is liable for the cost of the Works described in Schedule 2.

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**3 Obligations of parties****3.1 The Developer's obligations**

- (a) The Developer will, at its own cost:
  - i. comply with the conditions of a Development Approval;
  - ii. do the Works; and
  - iii. otherwise comply with the Special Conditions and the terms of this Agreement.
- (b) The Council will pay for the cost of all stamp duty, registration fees and development application fees payable in respect of the documents required for the purpose of complying with its obligations under the Special Conditions.

**3.2 Council's obligations**

Council will at its own cost, comply with its obligations set out in the Special Conditions and the terms of this document specified as applying to the Council.

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**4 General****4.1 Severance**

If any clause or provision of this Agreement is void, illegal or unenforceable for any reason, that clause or provision will be severed from this Agreement and the remaining clauses and provisions will continue in full force and effect.

**4.2 Payment of costs**

Each party must pay its own costs, charges and expenses, of and incidental to the negotiation, preparation, and execution of this Agreement, all counterparts of it, and any other document or instrument required under this Agreement.

#### 4.3 Notices

- (a) Any notice or other communication including any request, demand, consent or approval, to or by a party to this Agreement:
- (b) must be in legible writing and in English addressed to:
  - (A) if to the Developer:

**Attention:** John Kuhn  
**Address:** PO Box 3685 Victoria Point QLD 4165
  - (B) if to Redland City Council:

**Attention:** Manager, Legal Services  
**Address:** Corner Bloomfield & Middle Streets  
Cleveland QLD 4163
- (c) must be signed by an authorised officer of the sender or the solicitors for the sender;
- (d) is regarded as being given by the sender and received by the addressee:
  - i. in the case of delivery by hand, on the day of delivery if delivered by 5pm on a Business Day, or otherwise on the next Business Day;
  - ii. in the case of delivery by post, on the day when, by the ordinary course of post, it would have been delivered;
  - iii. in the case of a facsimile, whether or not legibly received, on the day shown on the facsimile transmission report produced by the machine from which the facsimile was sent which indicates that the facsimile was sent in its entirety to the facsimile number of the addressee notified for the purpose of this clause, but if the time of transmission is after 5pm on the Business Day that the facsimile is taken to have been received, on the following Business Day; and
- (e) can be relied upon by the addressee and the addressee is not liable to any other person for any consequence of that reliance if the addressee believes it to be genuine, correct and authorised by the sender.
- (f) A facsimile transmission is regarded as legible unless the addressee telephones the sender within 2 hours after transmission is received or regarded as received under clause 4.3iii and informs the sender that is not legible.
- (g) In this clause 4.3, a reference to an addressee includes a reference to an addressee's officers, agents or employees.

#### 4.4 Jurisdiction

- (a) This Agreement is governed by the laws of Queensland.
- (b) Each of the parties irrevocably submits to the exclusive jurisdiction of the Courts of Queensland.

**4.5 Waivers**

- (a) Waiver of any right arising from a breach of this Agreement or of any right, power, authority, discretion or remedy arising upon default under this Agreement must be in writing and signed by the party granting the waiver.
- (b) A failure or delay in exercise, or partial exercise, of:
  - i. a right arising from a breach of this Agreement; or
  - ii. a right, power, authority, discretion or remedy created or arising upon default under this Agreement,does not result in a waiver of that right, power, authority, discretion or remedy.
- (c) A party is not entitled to rely on a delay in the exercise or non-exercise of a right, power, authority, discretion or remedy arising from a breach of this Agreement or on a default under this Agreement as constituting a waiver of that right, power, authority, discretion or remedy.
- (d) A party may not rely on any conduct of another party as a defence to exercise of a right, power, authority, discretion or remedy by that other party.
- (e) This clause may not itself be waived except by writing.

**4.6 Variation**

A variation of any term of this Agreement must be in writing and signed by the parties.

**4.7 Cumulative rights**

The rights, powers, authorities, discretions and remedies arising out of or under this Agreement are cumulative and do not exclude any other right, power, authority, discretion or remedy of a party.

**4.8 Further assurances**

Each party must do all things and execute all further documents necessary to give full effect to this Agreement.

**4.9 Entire agreement**

This Agreement supersedes all previous agreements in respect of its subject matter and embodies the entire agreement between the parties in respect of its subject matter.

**4.10 Time of the essence**

Time is of the essence of this Agreement.

**4.11 Force Majeure**

- (a) If a party is unable by reason of an event of Force Majeure to carry out its obligations under this agreement, that party must give a Notice to the other

parties advising of the event of the Force Majeure as soon as it is reasonably practicable after the event of a Force Majeure.

- (b) If a party gives a Notice advising of an event of Force Majeure, that party's obligations will be suspended during the period for which the event of Force Majeure or its effect extends.

#### **4.12 Counterparts**

- (a) This agreement may be executed in any number of counterparts with the same effect as if the signatures to each counterpart were on the same instrument.
- (b) The parties may exchange counterparts of the Agreement by facsimile or by attaching a scanned copy of the counterpart to an e-mail transmission as a PDF document.



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**Schedule 1 – Special Conditions**

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**1 Developer's Obligations****1.1 Conditions**

The Works must be completed on the Temporary Works Land pursuant to the Development Approval.

**1.2 Works**

Without limiting the Developer's obligations under this agreement or otherwise, the Developer warrants that it will carry out the Works (or cause the Works to be carried out):

- (a) in a proper and workmanlike manner in accordance with:
  - i. legislative requirements;
  - ii. codes of practice;
  - iii. the approved plans and specifications;
- (b) with due diligence and without delay;
- (c) using its reasonable endeavours to complete the Works three (3) weeks prior to the closure of the Cleveland railway station public car park at 4 Harbourview Court, Cleveland (Lot 2 on SP273106);
- (d) with the standard of skill, care and diligence in the performance of the Works that would be expected of a provider of work and services of a nature similar of the Works and that all registrations, permits, licences, qualifications and other requirements of its trade are in full force and effect at all times.

**1.3 Approval of Specifications**

- (a) All designs and specifications for the Works which the Developer is obliged to do (including, without limiting the generality, the specification of all filling, excavation and other earthworks and the final design and specification for the Works) must be prepared by the Developer and submitted for the approval of any authority or instrumentality as required by law. The Developer must not commence the Works before the Developer has obtained all necessary approvals.
- (b) Council agrees that it will:
  - i. allow access to the Temporary Works Land held in trust by Council for the purpose of preparing a Development Application for the Works;
  - ii. provide owner's consent for the Temporary Works Land;
  - iii. agree to be the named applicant for any Development Application for the Works;

- iv. utilise any exemptions for community or transport infrastructure;
- v. have responsibility for any contamination found on the Temporary Works Land during excavation for the Works, including disposal of acid sulphate soils, unless the contamination was caused by the Developer;
- vi. waive the fee for any Development Application for the Works;
- vii. waive the cost of any applicable infrastructure charges for the Works;
- viii. provide utility engineering services to the Developer at no charge to ensure the works are designed to Council standards and undertaken in a proper and workmanlike manner pursuant to clause 1.8 of Schedule 1; and
- ix. acknowledge that the Department of Transport and Main Roads and Queensland Rail will have exclusive use of the Temporary Works Land during Development pursuant to clause 1.2(c) of Schedule 1. To be clear, Council does not have an obligation to take enforcement action and regulate parking on the Temporary Works Land.

#### 1.4 Final Specification of Works

The Works must be done to the satisfaction of the Council, acting reasonably, in the interpretation and application of this clause:

- (a) it is recognised that some provisions of this Agreement do provide a particular specification for the Works and, in some cases do show diagrammatically and in an indicative way the location of the Works on plans or diagrams;
- (b) a specification or location has been determined on the basis of present knowledge and expectation as to circumstances which will prevail at the time the Works are to be carried out; and
- (c) the circumstances actually prevailing at the relevant time may result in it being necessary or appropriate to adopt a different specification or vary the location for the final design or performance of the Works.

Accordingly, the inclusion of a particular specification in this Agreement or the depiction of the location of the Works on a plan within the Agreement does not prevent the Developer from seeking approval to an altered specification or location and does not prevent the Council from giving approval where an alteration is necessary or appropriate having regard to the circumstances prevailing at the relevant time. Such approval shall not be unreasonably withheld or delayed by the Council.

#### 1.5 Notice of Completion

Upon effective completion of the Works, the Developer must require inspection and approval of the works by the Council by giving written notice in that regard.

**1.6 On Maintenance**

- (a) Upon the Council being satisfied that practical completion of the Works has been achieved, the Council's engineer must notify the Developer in writing that the Works are satisfactorily completed and are accepted "on maintenance" subject to such reasonable conditions as to incomplete work as may be set out in the notification. A maintenance period of six (6) months commences to run from the date of such notice. Any defect in the Works advised in writing to the Developer by the Council during the maintenance period must be corrected by the Developer within a reasonable time, such time to be stated in the notice given by the Council to the Developer. The period of maintenance for remedial works shall commence on the date on which the defects are corrected and expire six (6) months after that date unless a lesser period of maintenance is approved by the Council's engineer.
- (b) On and from the expiry of the maintenance period the Council is responsible for the maintenance and upkeep of the Works.

**1.7 Right of Entry**

- (a) The Developer agrees and acknowledges that the Council and the Council's agent have rights of access to the Works as may be necessary or convenient in connection with the performance by the Council of any obligations or the exercise of any rights at law under this Agreement, or under the Sustainable Planning Act 2009 or the Local Government Act 1993 including for the purpose of:
  - i. examining and inspecting the state and condition of any Works, including preparation for work;
  - ii. ascertaining whether the obligations of the Developer are being observed performed and fulfilled; or
  - iii. performing any works which the Council has agreed or is empowered to perform.
- (b) If the Council exercises its powers referred to in this clause it is to be taken to have indemnified the Developer against all claims for or injury to persons or loss or damage to property which may occur whilst the Council officers or agents authorised by the Council are on the Land except where such claims arise from or in connection with the Developer's negligence or breach of duty.

**1.8 Examination and Testing**

- (a) Council May Order Tests:
  - i. In Clause 1.8 'test' includes examine and measure.
- (b) At any time prior to Practical Completion Council may direct that any material or work under the Contract be tested. The Developer shall provide such assistance and samples and make accessible such parts of the work under the Contract as may be required by the Council. On completion of the tests, the Developer shall make good the work under the Contract so that it fully complies with the Contract.

- (c) The Council may direct that any part of the work under the Contract shall not be covered up or made inaccessible without Council's prior approval.
- (d) Tests shall be conducted as provided in the Contract or by the Council or a person nominated by the Council.
- (e) Notice of Tests:

Before conducting a test under the Contract the party conducting the test, being the Council or the Developer, shall give reasonable notice in writing to the other of the time, date and place of the test. If the other does not then attend, the test may nevertheless proceed.
- (f) Procedure if Tests Delayed:

Without prejudice to any other right, if the Council or the Developer delays in conducting a test, the other, after giving reasonable notice in writing of intention to do so, may conduct the test.
- (g) Results of Tests:

Results of tests shall be promptly made available by each party to the other.
- (h) Costs of Testing:

Costs of and incidental to testing shall be borne by the Developer.
- (i) Access to Council for Testing:

The Developer shall ensure the Council and its agents and employees are allowed access to any place where any part of the Works is situated or any the work under the Contract is being carried out, for the purpose of inspection and testing.
- (j) Results of Tests:

A satisfactory inspection or test of any part of the Works or the work under the Contract by the Council shall not constitute evidence of the Developer having satisfactorily complied with the Contract, and shall not prejudice or relieve the Developer from any of its obligations or liabilities under or in connection with the Contract.

### 1.9 Offsets, refunds and conversions

Except as provided for in this Agreement, the Developer is not to take any action under SPA for the following:

- (a) the application of an offset against a Financial Contribution required by the Council for an Infrastructure Contribution for the Development Application for **(Infrastructure Offset)**;
- (b) the payment of a refund or other monetary payment by the Council for the provision of the Works **(Infrastructure Refund)**;
- (c) an Application to convert the Works to be provided by the Developer from non-trunk infrastructure to trunk infrastructure for the Development .

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## 2 Insurance

### 2.1 Insurances to be effected

The Developer must effect and maintain, or cause to be effected and maintained:

(a) Public and third party liability insurance:

- i. covering claims in respect of:
  - (i) damage to any real or personal property including property owned by Council; and
  - (ii) the injury to, or death of, any person,
  - (iii) caused by the carrying out of the Works;
- ii. for at least \$[20] million;
- iii. note the interests of Council and also protects all subcontractors and agents engaged in connection with the performance of the Works and the Developer's other obligations under this Agreement;
- iv. for the duration of the carrying out of the Works,

(b) Worker's Compensation insurance:

- v. in accordance with all laws; and
- vi. for the duration of the carrying out of the Works;

(c) compulsory third party liability insurance:

- vii. for registered vehicles owned or leased by the Developer, in accordance with the requirements of any compulsory motor vehicle third party legislation;
- viii. which provides protection to Council arising out of the use of the Developer's vehicles in addition to the Developer; and
- ix. for the duration of the carrying out of the Works;

(d) property damage liability insurance:

- x. covering all motor vehicles owned, leased or hired by the Developer used in connection with the Works or the Developer's other obligations under this Agreement including the use of unregistered motor vehicles and plant;
- xi. with a limit of not less than \$[5] million;
- xii. for the duration of the duration of the carrying out of the Works.

### 2.2 Requirements of Insurance (Not Used)

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### 3 Indemnity

Without limiting any other right or remedy of Council, the Developer indemnifies Council against:

- (a) any liability or claim by a third party (including the Developer's employees, agents, and contractors); and
- (b) all costs (including legal costs), fines, penalties, losses and damages suffered or incurred by Council,

arising directly or indirectly out of or in connection with any:

- (c) breach of this Agreement; or
- (d) intentional act or omission; or
- (e) negligent act or omission

of the Developer or its employees, agents or contractors but the indemnity in this clause will be reduced proportionately to the extent that a negligent act or omission of Council contributed to the liability, costs, fines, penalties, losses or damages.

All obligations to indemnify under this Agreement survive termination of this Agreement.

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### 4 Workplace Health and Safety

Words in inverted commas in this clause have the meaning given to them in the *Workplace Health and Safety Act 1995 (Qld) (Act)*.

Where the Act requires the appointment of a "principal contractor" for the Works:

- (a) the Developer (as "client" for the "construction works") must procure that the contractor carrying out the Works is appointed as the "principal contractor" for the Works;
- (b) if the Developer does not comply with clause (a) the Developer will be deemed to be the "principal contractor" for the Works; and
- (c) the Developer must cooperate with Council, and must ensure that any subcontractors or other persons engaged to perform any of the Works cooperate with Council, to enable Council to comply with its obligations under any safety law.

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### 5 Agreed Amount (Not Used)

### 6 Variations

#### 6.1 Variations Outside Control of Developer

The Developer must as soon as reasonably practical following the Developer becoming aware of the need to undertake a variation of the design or specification of the Works inform the Council of those circumstances. The Council must promptly advise the Developer whether the Council, acting reasonably, accepts the variation.

#### **6.2 Rock/ Poor Ground**

For the sake of clarity, a circumstance of encountering rock or inferior substratum conditions shall be a matter outside the control of the Developer.

#### **6.3 Consent Not Required**

Nothing in this clause obliges the Developer to obtain the consent of the Council to undertake a variation prior to undertaking the works but if the Developer does not do so the Developer will have No Claim against the Council in relation to that variation.

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### **7 Dispute Resolution**

#### **7.1 Reference of Dispute**

If the parties have any dispute or difference as to the performance of this Agreement, or arising out of this Agreement, that dispute or difference must be referred by a party for determination by a person agreeable to both parties.



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## Schedule 2 – Development Details

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### 1 Development Details

#### 1.1 Development Application and Development Approval means:

Development Approval Number, development type and description	Council Project Number
MCU013612	Not applicable

#### 1.2 Land means:

##### (a) Development Land

Address	Lot	Plan Number	Area (Ha)	No of proposed lots
4 Harbourview Court, Cleveland	2	SP273106	4,390m <sup>2</sup>	Volumetric
144A Shore Street West, Cleveland	3	SP273106	158m <sup>2</sup>	Not applicable

##### (b) Temporary Works Land

Address	Lot	Plan Number	Area (Ha)	No of proposed lots
2-16 Middle Street, Cleveland	19	SP168495	That part of land marked in yellow as car park on the Plan of Works in Schedule 3	Not applicable

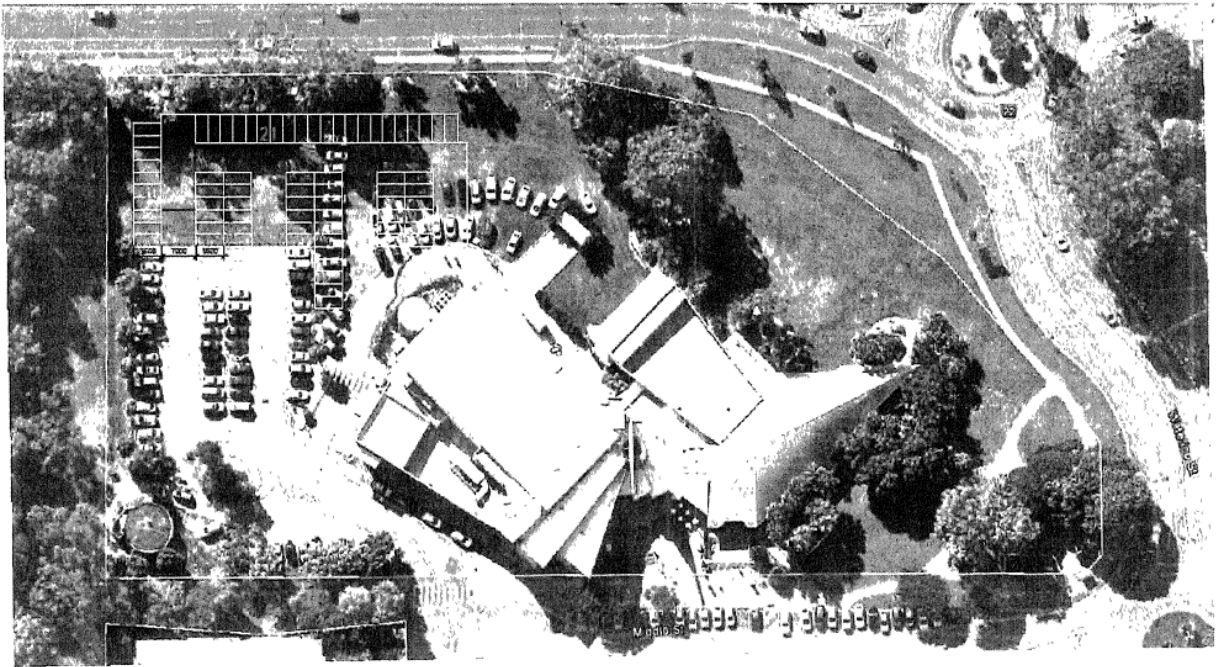
### 1.3 Works means:

The infrastructure Works, being:

- (a) Provision of standard parking bays generally in accordance with the Plan of Works in Schedule 3 being an extension of the existing parking zone on the Temporary Works Land. Generally, the following conditions will apply to the Works:
  - i. Works are to be limited to being carried out within the property boundary of the Temporary Works Land as shown on the Plan of Works in Schedule 3, with the exception of any external upgrade works required for pedestrian connectivity as agreed to by the parties.
  - ii. No additional landscaping is required.
- (b) Temporary pedestrian connectivity to and from the railway station is to be provided during the Development as required by an appropriate pedestrian access study commissioned by the Developer, to the satisfaction of Council.
- (c) The Developer will consult, facilitate and manage the process between DTMR and the Council for the pedestrian link.
- (d) Signage and way finding aides will be provided by the Developer.
- (e) Construction of the parking bays, circulation isles (access ways) and pedestrian connectivity will be in accordance with the Council's Planning Scheme Policy 9 (Infrastructure Works), Australian Standard 2890 Parts 1 and 2, AUSTROADS and Manual of Uniform Traffic Control Devices (MUTCD) including, but are not limited to:
  - i. Erosion and sediment controls.
  - ii. Stormwater management.
  - iii. Electrical reticulation and lighting.
  - iv. Access and parking furniture and pavement design.
  - v. Excavation and fill.
- (f) Necessary alterations to utility services will be restricted to within the boundary of the Temporary Works Land.
- (g) The works timetable will be linked to the requirements of the staged rail site development including compliance with the traffic and pedestrian management plan to be produced under the terms of the development approval.

GENERIC INFRASTRUCTURE AGREEMENT – TYPE B

Schedule 3 – Plan of Works



CRONE Suite 1208 Acacia Street, Fortitude Valley  
Brisbane QLD 4006, Australia  
ARCH: Ph: +61 7 3200 0621  
ECCTD: Ph: +61 7 3202 1992


Preliminary  
Parking at Arts Centre  
Rev A  
BAY INCORPORATED  
PO BOX 3486  
LOOAHOLAND QLD 4118  
05/05/18  
SK1040

## GENERIC INFRASTRUCTURE AGREEMENT – TYPE B

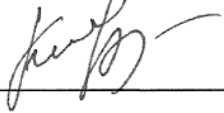
**Executed as an agreement:**

Signed by **Envisage Development  
Management Pty Ltd**  
**ACN 123 579 895**

in accordance with s.127  
Corporations Act 2001

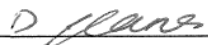
)   
) Signature  
) Ian Kuhn Director  
) Insert Name & Director / Secretary

In the presence of:-


)   
) Signature  
) Svetlana Kuhn  
) Insert Name & Authority

Date:- \_\_\_\_\_

Signed for and on behalf of:-  
**Redland City Council**

)   
) Signature  
) David Jeanes  
) Group Manager City Planning + Assessment  
) Insert Name & Authority

In the presence of:-

)   
) Signature  
) ESKINDER URUBAMICHAEL  
) Insert Name & Authority

Date:- 20/12/2019

DATED 2016

Envisage Development Management Pty Ltd ACN 123 579 895

and

**REDLAND CITY COUNCIL**

**INFRASTRUCTURE AGREEMENT**

## Attachment 4 - Conditions for MCU013612

ASSESSMENT MANAGER CONDITIONS			TIMING
1. Comply with all conditions of this approval, at no cost to Council, at the timing periods specified in the right-hand column. Where the column indicates that the condition is an ongoing condition, that condition must be complied with for the life of the development.			
Approved Plans and Documents			Timing
2. Undertake the development in accordance with the approved plans and documents referred to in Table 1, subject to the conditions of this approval and any notations by Council on the plans.			Prior to the use commencing and ongoing.
Plan/Document Title	Reference Number	Prepared By	Plan/doc. date
Cover Sheet	SK1001 (Rev: D)	Crone Architects	9/11/2015
Location Plan	SK1002 (Rev: A)	Crone Architects	26/11/2015
Site Plan (amended in red)	SK1003 (Rev: B)	Crone Architects	9/11/2015
Existing Condition Plan	SK1004 (Rev: A)	Crone Architects	26/11/2015
Ground Floor (amended in red)	SK1005 (Rev: B)	Crone Architects	23/05/2011
Level 1 (amended in red)	SK1006 (Rev: A)	Crone Architects	4/11/2015
Level 2 (amended in red)	SK1007 (Rev: A)	Crone Architects	5/11/2015
Level 3-7	SK1008 (Rev: A)	Crone Architects	11/05/15
Level 8	SK1009 (Rev: A)	Crone Architects	12/11/2015
Building Section	SK1012 (Rev: C)	Crone Architects	9/11/2015
Elevations 1 (as amended in red)	SK1013 (Rev: C)	Crone Architects	5/11/2015
Elevations 2 (as amended in red)	SK1014 (Rev: D)	Crone Architects	5/11/2015
Shadow Diagram	SK1015 (Rev: B)	Crone Architects	9/11/2015
Footpath Section	SK1016 (Rev: B)	Crone Architects	11/11/2015
Northern Footpath Section	SK1017 (Rev: A)	Crone Architects	1/03/2016
Eastern Footpath Section	SK1018 (Rev: A)	Crone Architects	14/03/2016
Entry Lobby	SK1019 (Rev: A)	Crone Architects	14/03/2016
External Perspective	SK1030 (Rev: C)	Crone Architects	9/11/2015
Refuse Truck Swept Path Analysis - West	Sheet 1 of 2 (Rev: A)	TTM Consulting PTY LTD	22/03/2016
Refuse Truck Swept Path Analysis - East	Sheet 2 of 2 (Rev: A)	TTM Consulting PTY LTD	22/03/2016

## Attachment 4 - Conditions for MCU013612

Project Staging Plan	Page 13	Crone Partners	April 2015
Site Plan – Cleveland Cafe	DA-40/C	Trevor Lowmass	7/04/2021
Ground Floor Plan – Cleveland Cafe	DA-41/C	Trevor Lowmass	7/04/2021
Elevations – Cleveland Cafe	DA-42/C	Trevor Lowmass	7/04/2021
Elevations – Cleveland Cafe	DA-43/C	Trevor Lowmass	7/04/2021
Elevations – Cleveland Cafe	DA-44/B	Trevor Lowmass	7/04/2021
BAAM Cleveland Railway Tree Assessment and Advice	0450-001a	Adrian Caneris	16/12/2020
Landscape Design Report Page 1- 15 (amended in red)	14080 Page 1-15 (Issue E)	Vee Design	27/11/2015
Site Based Stormwater Management Plan - Quantity	Publication Ref: C16-161 SBSM - Quantity (Rev: 1)	BG Group Engineers	18/11/2015
Site Based Stormwater Management Plan - Quality	Publication Ref: C16-161 SBSM - Quality (Rev: 1)	BG Group Engineers	18/11/2015
Response to Council IR Noise Impacts for Cleveland Train Station Redevelopment	15BRA0220 L01_0 RFI.docx	TTM Consulting Pty Ltd	17/02/2016
Environmental Noise Assessment Report	15BRA0220 R01_1.1.docx Rev: 1	TTM Consulting Pty Ltd	27/11/2015

Table 1: Approved Plans and Documents

Design	Timing
3. Install and maintain the lighting fixtures so that they do not emit glare or light above the levels stated in <i>Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting</i> (or the current applicable standard).	Prior to the use commencing and ongoing.
4. Submit certification to Council from a licensed surveyor, at the stages of building construction listed below, that floor levels and maximum overall height of the building are in accordance with the development approval. All levels must be provided to Australian Height Datum (AHD).	At the building stages specified in the condition.



## Attachment 4 - Conditions for MCU013612

<p>a) At completion of stage one to demonstrate that the building complies with the approved plans at that stage; and</p> <p>b) After completion of the construction of the building but prior to the issue of the Certificate of Classification or Final Building Approval to demonstrate that the highest point of the building complies with the approval.</p>	
<p>5. Ensure that no service utilities (air conditioning and the like) are constructed over the roof of the two towers. Where such utilities are located on balconies, ensure design provides sufficient screening from public view.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>6. Comply with the infrastructure agreement related to the subject land.</p>	<p>At all times.</p>
Access, Roadworks and Parking	Timing
<p>7. Provide 131 car parks in accordance with approved plan Level 1 SK1006 (Rev: A dated 4/11/2015). The total number of car parks must include:</p> <ul style="list-style-type: none"> <li>Two (2) disability parking spaces; and</li> <li>A minimum seven (7) visitors spaces.</li> </ul> <p>Access to car parking spaces, bicycle spaces, bin bays and driveways must remain unobstructed and available for their intended purpose.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>8. Provide four (4) motorcycle parking spaces in accordance with approved plan Level 1 SK1006 (Rev: A dated 4/11/2015).</p>	<p>Prior to the use commencing and ongoing.</p>
<p>9. Construct a car washing facility to incorporate the following design criteria:</p> <ul style="list-style-type: none"> <li>A roof and bund surrounding the carwash area with drainage to the sewer through an approved oil interceptor/separator. The oil interceptor cannot be shared;</li> <li>Limit the entry of rainfall and overland flow into the sewerage system; and</li> <li>Minimise water usage.</li> </ul>	<p>Prior to the use commencing.</p>
<p>10. Submit to Council for approval, engineering plans and details showing the following frontage works are in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval:</p>	<p>As part of request for compliance assessment.</p>

## Attachment 4 - Conditions for MCU013612

- a) Footpath earthworks, topsoiling and turfing of all disturbed footpath areas;
- b) Reinstatement of concrete kerb and channel where required;
- c) Removal of all redundant vehicle crossovers;
- d) Entry treatment/access to the site;
- e) Adjustment and relocations necessary to public utility services resulting from these works;
- f) A minimum 6m wide type A permanent vehicular crossover to the Harbourview Court frontage at the access point to the public car park;
- g) A minimum 5.5m wide type A permanent vehicular crossover to the Harbourview Court frontage at the access point to the private (resident) car park;
- h) A minimum of 3m wide concrete shared footpath connecting Harbourview Court with Nautilus Drive; and
- i) Traffic calming measures towards the entry/exit of the private (resident) car park.

<b>Compliance Assessment</b>	<b>Timing</b>
11. Submit to Council, and receive approval for, Compliance Assessment for the documents and works referred to in Table 2:	Prior to site works commencing.

Document or Works Item	Compliance Assessor	Assessment Criteria
Stormwater Management Plan	Redland City Council	<ul style="list-style-type: none"> <li>Redlands Planning Scheme Part 8 Division 9 – Stormwater Management Code</li> <li>Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding</li> <li>Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 6 – Stormwater Management</li> <li>Water Sensitive Urban Design Technical Guidelines for South East Queensland</li> </ul>

## Attachment 4 - Conditions for MCU013612

		<ul style="list-style-type: none"> <li>Queensland Urban Drainage Manual</li> <li>Australian Standard 3500.3:2003 – Plumbing and Drainage – Stormwater Drainage.</li> </ul>
Water and Wastewater Supply and Reticulation	Redland City Council	<ul style="list-style-type: none"> <li>SEQ Water Supply and Sewerage Design and Construction Code</li> <li>Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code</li> <li>Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding</li> <li>Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 7 – Water Reticulation and Chapter 8 – Sewerage Reticulation.</li> </ul>
Access and Parking Plans	Redland City Council	<ul style="list-style-type: none"> <li>Redlands Planning Scheme Part 8 Division 1 – Access and Parking Code</li> <li>Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding</li> <li>Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 15 – Access and Parking</li> <li>Australian Standard 2890.1:2004 – Parking Facilities – Off-street car parking</li> <li>Australian/New Zealand Standard 2890.6:2009 – Parking Facilities – Off-street parking for people with disabilities</li> </ul>

## Attachment 4 - Conditions for MCU013612

Road and Footpath Works	Redland City Council	<ul style="list-style-type: none"> <li>• Redlands Planning Scheme Part 7 Division 4 – Domestic Driveway Crossover Code</li> <li>• Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code</li> <li>• Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding</li> <li>• Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 5 – Road and Path Design.</li> </ul>
Sediment and Erosion Control Plan	Redland City Council	<ul style="list-style-type: none"> <li>• Redlands Planning Scheme Part 8 Division 6 – Erosion Prevention and Sediment Control Code</li> <li>• Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding</li> <li>• Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 4 – Erosion Prevention and Sediment Control</li> <li>• Institution of Engineers Australia Erosion and Sediment Control Guidelines.</li> </ul>
Earthworks Plans	Redland City Council	<ul style="list-style-type: none"> <li>• Redlands Planning Scheme Part 7 Division 6 – Excavation and Fill Code</li> <li>• Redlands Planning Scheme Part 8 Division 5 – Development Near Underground Infrastructure Code</li> <li>• Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding</li> </ul>

## Attachment 4 - Conditions for MCU013612

		<ul style="list-style-type: none"> <li>Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 12 – Excavation and Fill and Chapter 13 – Development Near Underground Infrastructure</li> <li>Australian Standard 2870:2011 – Residential Slabs and Footings</li> <li>Australian Standard 4678:2002 – Earth-retaining Structures</li> <li>Australian Standard 3798:2007 – Guidelines on Earthworks for Commercial and Residential Development.</li> </ul>
Construction Management Plan	Redland City Council	<ul style="list-style-type: none"> <li>Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions</li> <li>Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding.</li> </ul>
Electricity Reticulation Plan	Redland City Council	<p>Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code</p> <ul style="list-style-type: none"> <li>Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding</li> <li>Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 9 – Electrical Reticulation and Street Lighting</li> </ul>
Landscape Plan	Redland City Council	<ul style="list-style-type: none"> <li>Redlands Planning Scheme Part 8 Division 8 – Landscape Code</li> <li>Redlands Planning Scheme Part 9 Schedule 9 – Street Trees</li> <li>Redlands Planning Scheme Part 11 Policy 3 Chapter 3 –</li> </ul>

## Attachment 4 - Conditions for MCU013612

		<p>Landscaping and Chapter 4 – Security Bonding</p> <ul style="list-style-type: none"> <li>• Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 10 – Parks and Open Space and Chapter 11 – Landscaping</li> <li>• Redlands Planning Scheme Part 11 Policy 16 – Safer by Design</li> <li>• Redlands Planning Scheme Part 11 Policy 17 – Streetscape Design Manuals.</li> <li>• Redlands Planning Scheme Part 8 – Division 4 – Apartment Building Code</li> </ul>
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Table 2: Compliance Assessment

<b>Stormwater Management</b>	<b>Timing</b>
<p>12. Convey roof water and surface water in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management to a lawful point of discharge.</p>	Prior to the use commencing and ongoing.
<p>13. Manage stormwater discharge from the site in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, so as to not cause an actionable nuisance to adjoining properties.</p>	Prior to the use commencing and ongoing.
<p>14. Submit to Council, and receive Compliance Assessment approval for, a stormwater assessment that is generally in accordance with the approved stormwater management plan/s, and addresses both quality and quantity in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, and the following:</p> <ul style="list-style-type: none"> <li>• Design of allotment drainage</li> <li>• Detailed drawings of the proposed stormwater quality treatment systems and any associated works. The drawings must include longitudinal and cross sections as well as details of treatment media and any associated vegetation.</li> <li>• An electronic copy of the MUSIC model.</li> </ul>	As part of request for compliance assessment.

## Attachment 4 - Conditions for MCU013612

<b>Infrastructure and Utility Services</b>	<b>Timing</b>
15. Pay the cost of any alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development, or any works required by conditions of this approval. Any cost incurred by Council must be paid at the time the works occur in accordance with the terms of any cost estimate provided to perform the works, or prior to plumbing final or the use commencing, whichever is sooner.	At the time of works occurring.
16. Connect the development to external reticulated sewer, external reticulated water and underground electricity supply in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval.	Prior to the use commencing.
17. Remove any redundant sewerage connections within the site or servicing the development and provide documentary evidence to Council or its delegate that this has occurred.	Prior to site works commencing.
<b>Waste Management</b>	<b>Timing</b>
18. Install a screened refuse storage area, located at the ground level car park of the development as indicated on approved plans, for the storage of waste and recycling bins as determined in the TTM Waste Management Report. The storage area must be impervious, well drained, provided with a hose cock, enclosed and illuminated for night time use.	Prior to the use commencing and ongoing.
<b>Acoustic Requirements</b>	<b>Timing</b>
19. Incorporate acoustic attenuation into the development as specified in the approved noise report/s.	Prior to the use commencing and ongoing.
<b>Landscape Works</b>	<b>Timing</b>
20. Submit landscape plans to Council for Compliance Assessment in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval. Include the following items: a) Designs that are generally in accordance with the landscape design report; b) Details of street tree planting in accordance with the Redlands Planning Scheme Landscape Code with species selected from Schedule 9 of the Redlands Planning Scheme, unless otherwise approved as part of the compliance assessment approval;	As part of request for compliance assessment.



## Attachment 4 - Conditions for MCU013612

- c) A maintenance plan for the entire landscaping component of the development;
- d) Details of lighting to communal open space, driveways, public car parks and footpaths within the site;
- e) A tree management plan prepared in accordance with Section 9.11.6.3 of the Redlands Planning Scheme Policy 9;
- f) A plan showing the tree protection zone (TPZ) around the existing Eucalypt Tree identified for retention (at the front of Lot 3 SP273106). The TPZ must be determined in accordance with Australian Standard A.S.4970-2009 – Protection of Trees on Development Sites and be prepared by a Level 5 Arborist;  
*Note: Any works undertaken within the TPZ must be supervised by the Consulting Arborist.*
- g) Details of lighting to be provided in the Council footpath along the site's northern boundary linking Harbourview Court and Nautilus Drive.

Tree Protection and Management	Timing
<p>21. Engage a minimum Level 5 qualified Arborist to implement and supervise tree protection measures for the existing Eucalyptus saligna (Sydney Blue Gum) located adjacent to the approved refreshment establishment. Tree protection methodology must be in accordance with 'Australian Standard AS4970-2009 - Protection of trees on development sites' and must include all potential impacts to the tree from proposed civil works, landscape works, services and infrastructure.</p>	<p>Prior to and during any work occurring within the Tree Protection Zone (TPZ) of the tree.</p>
<p>22. The Project Arborist is to supervise the installation of any structure to be located within the TPZ of the tree, including hand-digging or vacuum excavation of proposed footings, placement of concrete in footings to avoid leachate, existing soil level interference, underground services and any other identified potential impact to the tree.</p>	<p>Prior to and during any work occurring within the Tree Protection Zone (TPZ) of the tree.</p>
<p>23. Any pruning of canopy or roots of the tree must be undertaken within the guidelines of AS4373-2007 Pruning of Amenity Trees. Radical Crown reduction or excessive pruning of roots and canopy must not be undertaken.</p>	<p>At the time of the works occurring.</p>

## Attachment 4 - Conditions for MCU013612

<p><b>24.</b> Provide Council with a written post-construction Arborist report demonstrating compliance with the tree protection recommendations as outlined by the tree protection and management conditions, the approved plans and confirming that the works were completed in accordance with AS4970-2009 Protection of Trees on Development Sites.</p>	<p>On completion of all works.</p>
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#### ADDITIONAL APPROVALS

The following further Development Permits and/or Compliance Permits are necessary to allow the development to be carried out.

- Building Works approval.

Further approvals, other than a Development Permit or Compliance Permit, are also required for your development. This includes, but is not limited to, the following:

- Compliance assessment as detailed in Table 2 of the conditions.
- Plumbing and drainage works.
- Capping of Sewer – for demolition of existing buildings on site.
- Road Opening Permit – for any works proposed within an existing road reserve.
- Food Business Licence – for any development proposing to conduct a food business under the Food Act 2006.

#### REFERRAL AGENCY CONDITIONS

- Queensland Department of State Development, Infrastructure and Planning (DSDIP) Refer to the attached correspondence from the DTMR dated 24 March 2016 (DSDIP reference SDA-0116-027606)

#### ASSESSMENT MANAGER ADVICE

- **Infrastructure Charges**  
Infrastructure charges apply to the development in accordance with the State Planning Regulatory Provisions (adopted charges) levied by way of an Infrastructure Charges Notice. The infrastructure charges are contained in the attached Redland City Council Infrastructure Charges Notice.
- **Live Connections**  
Redland Water is responsible for all live water and wastewater connections. Contact *must* be made with Redland Water to arrange live works associated with the development.  
Further information can be obtained from Redland Water on 07 3829 8999.
- **Release of Water Contaminants**  
Please be aware that prescribed water contaminants must not be released to waters, a roadside gutter, stormwater drainage or into another place so that contaminants could reasonably be expected to move into these areas. Refer to the *Environmental*

## Attachment 4 - Conditions for MCU013612

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*Protection Act 1994* for further information on the release of prescribed water contaminants.

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- **Coastal Processes and Sea Level Rise**

Please be aware that development approvals issued by Redland City Council are based upon current lawful planning provisions which do not necessarily respond immediately to new and developing information on coastal processes and sea level rise. Independent advice about this issue should be sought.

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- **Hours of Construction**

Please be aware that you are required to comply with the *Environmental Protection Act* in regards to noise standards and hours of construction.

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- **Survey and As-constructed Information**

Upon request, the following information can be supplied by Council to assist survey and engineering consultants to meet the survey requirements:

- a) A map detailing coordinated and/or levelled PSMs adjacent to the site.
- b) A listing of Council (RCC) coordinates for some adjacent coordinated PSMs.
- c) An extract from Department of Natural Resources and Mines SCDM database for each PSM.
- d) Permanent Survey Mark sketch plan copies.

This information can be supplied without charge once Council received a signed declaration from the consultant agreeing to Council's terms and conditions in relation to the use of the supplied information.

Where specific areas within a lot are being set aside for a special purpose, such as building sites or environmental areas, these areas should be defined by covenants. Covenants are registered against the title as per Division 4A of the *Land Title Act 1994*.

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- **Services Installation**

It is recommended that where the installation of services and infrastructure will impact on the location of existing vegetation identified for retention, an experienced and qualified arborist that is a member of the Australian Arborist Association or equivalent association, be commissioned to provide impact reports and on site supervision for these works.

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- **Fire Ants**

Areas within Redland City have been identified as having an infestation of the Red Imported Fire Ant (RIFA). Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence. It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23. The Fire Ant Restricted Area as well as general information can be viewed on the Department of Agriculture and Fisheries (DAF) website [www.daf.qld.gov.au/fireants](http://www.daf.qld.gov.au/fireants)

## Attachment 4 - Conditions for MCU013612

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- **Cultural Heritage**

Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during the course or construction or operation of the development, the *Aboriginal and Cultural Heritage Act 2003* requires all activities to cease. For indigenous cultural heritage, contact the Department of Environment and Heritage Protection.

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- **Fauna Protection**

It is recommended an accurate inspection of all potential wildlife habitats be undertaken prior to removal of any vegetation on site. Wildlife habitat includes trees (canopies and lower trunk) whether living or dead, other living vegetation, piles of discarded vegetation, boulders, disturbed ground surfaces, etc. It is recommended that you seek advice from the Queensland Parks and Wildlife Service if evidence of wildlife is found.

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- **Environment Protection and Biodiversity Conservation Act**

Under the Commonwealth Government's *Environment Protection and Biodiversity Conservation Act* (the EPBC Act), a person must not take an action that is likely to have a significant impact on a matter of national environmental significance without Commonwealth approval. Please be aware that the listing of the Koala as vulnerable under this Act may affect your proposal. Penalties for taking such an action without approval are significant. If you think your proposal may have a significant impact on a matter of national environmental significance, or if you are unsure, please contact Environment Australia on 1800 803 772. Further information is available from Environment Australia's website at [www.ea.gov.au/epbc](http://www.ea.gov.au/epbc)

Please note that Commonwealth approval under the EPBC Act is independent of, and will not affect, your application to Council.

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**15 REPORTS FROM INFRASTRUCTURE & OPERATIONS****15.1 REDLANDS COAST REGIONAL SPORT AND RECREATION PRECINCT - PRIMARY TENANT CLUB CONFIRMATION****Objective Reference:** A5383870**Authorising Officer:** Dr Nicole Davis, General Manager Infrastructure & Operations**Responsible Officer:** Bradley Salton, Group Manager City Assets**Report Author:** Vladimir Steljic, Project Manager - City Infrastructure Group  
Frances Hudson, Service Manager Civic & Open Space**Attachments:** Nil**PURPOSE**

To seek endorsement of primary tenant clubs for the Redlands Coast Regional Sport and Recreation Precinct (Precinct) which will support opportunities to address city-wide sport and recreation needs, allow Redlands Coast Sporting organisations to grow and transform the vacated sites.

**BACKGROUND**

Council is working on initiatives that will meet the City's current and future sport and active recreation needs. Ongoing commitment to progressing the Precinct and related activities is required to transform existing facilities and provide certainty regarding tenant clubs to ensure design activities can continue and enable transformation planning for Pinklands, Cleveland Showgrounds and Degen Road, Capalaba.

In 2019, a Precinct Master Plan for the Redlands Coast Regional Sport and Recreation Precinct (Precinct) was developed. The demand for development of the Precinct has been established through consultation with Councillors, Council officers, potential user groups and peak bodies, local community groups and the wider community. The Master Plan also had consideration for the optimisation and utilisation of existing and future planned opportunities.

Key directions influencing the Precinct layout were:

- Pressures at existing facilities within the city (particularly Norm Price Park (Redland Showgrounds), Pinklands Recreation Reserve, and Redlands PCYC and BMX Facility on Degen Road at Capalaba)
- Growth in a number of field sports, cycling and BMX
- Growth in active recreation groups and programs (e.g. Parkrun)
- Opportunity for a wide range of recreation options
- Opportunity to embrace the significant ecological elements within the site and retain bushland for conservation
- Additional planning and investigation activities undertaken by Council

As a result, the Master Plan provided direction to develop new home grounds for Redlands Touch Association, Redlands Rugby League Club and Redlands BMX Club as well as accommodating Redlands Cycling and Multisport Club. The Masterplan was adopted by Council on 13 May 2020.

Following the adoption of the Masterplan, and being guided by it, officers have progressed planning and design work for the Precinct. This has included undertaking concept design work (currently 80% complete) and engaging with the proposed tenant clubs to identify their needs.

## ISSUES

As a result of engagement and provision of concept designs, Redlands Touch Association, Redlands BMX Club and Redlands Cycling & Multisport Club are enthusiastic about their relocation to the Precinct and have provided input and feedback throughout the concept design phases.

Redlands Rugby League Club (the Club) has provided mixed responses to the relocation and in May 2021 reopened dialogue with Council with the support of Queensland Rugby League (QRL), to provide input and feedback on the concept designs.

In April 2021, QRL representatives met with Council officers and showed in-principle support of the concept designs for proposed rugby league fields and amenities at the precinct noting it would be in the best interests of the sport. With this QRL offered to support engagement between the Club and Council in the interest of this growth and matching facility development. QRL met with Club representatives to discuss this concept, the current status of the Sport and Recreation Precinct project, and the concept design (60% complete at that point).

Continued engagement about the relocation opportunity has also progressed with representatives and broader membership of the Club at a meeting in May 2021. The opportunity to relocate to the Precinct is expected to provide a number of benefits including:

- Two-storey clubhouse with integrated grand stand seating (including up to six change rooms)
- Facilities exceeding NRL Regional Level Facility Guidelines
- Three dedicated, irrigated, professionally designed and lit rugby league fields
- Potential for two additional multi-use fields (sharing with Touch Football) for carnivals
- 350 Carparks adjacent to rugby league fields and overflow parking

Confirming the Club as a primary Precinct tenant would allow Council to progress to the next phase of the Redlands Coast Regional Sport and Recreation Precinct project and enable Council to progress planning work to realise the transformation opportunities at the vacated sites.

With the confirmation of all primary tenant clubs, Council will continue to work collaboratively with these clubs to get the best outcomes for the clubs, community and Council. The communication activities for the Precinct will be progressed as documented within the project Communication Management Plan.

Progressing the Precinct activities will support further opportunities to address city-wide sport and recreation needs, allow Redlands Coast Sporting organisations to grow and transform the vacated sites.

Failure of the Club to relocate would have the following consequences:

- Pinklands Sporting Complex continues to be oversubscribed:
  - Redlands Netball Association could not expand to meet their current and future needs

- Redlands and Southern Districts Equestrian Group could not be accommodated alongside Redlands Horse and Pony Club
- Redlands Rugby League Club could not expand to meet any future growth
- Car parking issues would remain
- Redlands Coast Regional Sport and Recreation Precinct design costs would increase due to the uncertainty of sport-specific requirements and lack of early club involvement.

## STRATEGIC IMPLICATIONS

### Legislative Requirements

There are no legislative requirements relevant to this matter.

### Risk Management

Endorsing Redlands Touch Association, Redlands Rugby League Club, Redlands BMX Club and Redlands Cycling and Multisport Club as the Precinct tenants will minimise financial, reputation and schedule risks to the project.

Prolonged uncertainty around the primary tenant clubs may jeopardise Precinct delivery through increased costs, prolonged delivery timeframes and reduced existing and future funding opportunities.

Prolonged uncertainty may also mean transformation activities at Pinklands Sports Complex, Cleveland Showgrounds and Degen Road at Capalaba cannot be advanced.

### Financial

No additional funding is required for the financial year (FY) 2020/2021.

Budget for the preliminary and detailed design of the Redlands Coast Regional Sport and Recreation Precinct will be required, commencing in FY2021/2022. Budget is subject to Council adopting the FY2021/22 budget at the special meeting on 24 Jun 2021.

Council has applied for \$4.5m of the allocated SEQ Community Stimulus Program funding to assist in delivering the Bike-activity and Recreation sub-precincts and is currently awaiting an outcome (anticipated announcement June/July 2021).

### People

Officer requirements for implementation of the Redlands Coast Regional Sport and Recreation Precinct are included in this year's budget and future 10-year capital forecast.

### Environmental

Environmental values have been taken into considerations as part of the master planning activities and concept design development.

### Social

Progressing the Redlands Coast Regional Sport and Recreation Precinct project will contribute to improvements in social connectedness, as well as an increase in Redlands Coast visitor numbers and sport and recreation opportunities.



## Human Rights

There are no human rights implications associated with this report.

## Alignment with Council's Policy and Plans

The sporting parkland shortfall identified in the Open Space Strategy had been assessed at approximately 75 hectares. The Redlands Coast Regional Sport and Recreation Precinct will reduce this deficit by providing about 21 hectares of sport and recreation land.

This catalyst project would also address the 2021-2026 Corporate Plan outcomes related to:

- Natural environment
- Liveable neighbourhoods
- Thriving economy
- Strong communities

## CONSULTATION

Consulted	Consultation Date	Comments/Actions
Redlands Touch Association	Ongoing	Requirements gathering and concept design feedback.
Redlands BMX Club	Ongoing	Requirements gathering and concept design feedback.
Redlands Cycling and Multisport Club	Ongoing	Requirements gathering and concept design feedback.
Redlands Rugby League Club	Ongoing	Requirements gathering and concept design feedback.
General Manager Community and Customer Services	9 Apr 2021	Update on the Redlands Coast sport and recreation initiatives.
Queensland Rugby League – State Sporting Organisation	9 Apr 2021	QRL supported that relocation to the Precinct is in the interests of the game and the club.
General Counsel	13 Apr 2021	Update on the Redlands Coast sport and recreation initiatives.
Chief Executive Officer, Group Manager City Assets, General Manager Infrastructure and Operations	20 Apr 2021	Update on the Redlands Coast sport and recreation initiatives.
Service Manager - Business Partnering	28 Apr 2021	Update on the Redlands Coast sport and recreation initiatives.
Mayor	10 May 2021	Update on the Redlands Coast sport and recreation initiatives.
Councillors	27 May 2021	Update on the Redlands Coast sport and recreation initiatives, including tenant status of support and agreement.

## OPTIONS

### Option One

That Council resolves as follows:

1. To endorse the Redlands Coast Regional Sport and Recreation Precinct Master Plan recommendations and approve Redlands Touch Association, Redlands Rugby League Club, Redlands BMX Club and Redlands Cycling and Multisport Club as the primary Precinct tenants.

2. To support continued engagement with primary tenant clubs relating to their transition to the Precinct including negotiation of future management arrangements.

**Option Two**

That Council resolves to not approve the primary tenant clubs identified in the Redlands Coast Regional Sport and Recreation Precinct Master Plan and notes the associated risks identified in this report including preventing the expansion of Redlands Netball Association, equestrian activities and the Redlands Rugby League Club at Pinklands.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/155**

Moved by: Cr Julie Talty

Seconded by: Cr Mark Edwards

That Council resolves as follows:

1. To endorse Redlands Coast Regional Sport and Recreation Precinct Master Plan recommendations and approve Redlands Touch Association, Redlands Rugby League Club, Redlands BMX Club and Redlands Cycling and Multisport Club as the primary Precinct tenants.
2. To support continued engagement with primary tenant clubs relating to their transition to the Precinct including negotiation of future management arrangements.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

Mayor Karen Williams declared a Declarable Conflict of Interest in the following Item.

Mayor Williams considered her position and was firmly of the opinion that she could participate in the discussion and vote on the matter in the public interest.

The motion for Mayor Karen Williams to participate in the meeting was CARRIED (refer Item 6.2 for details)

Mayor Williams voted in the affirmative.

## **15.2 DRAFT LAND MANAGEMENT PLAN - TEMPORARY COMMERCIAL USE OF PUBLIC OPEN SPACE (COUNCIL TRUSTEE RESERVES)**

**Objective Reference:** A5397941

**Authorising Officer:** Dr Nicole Davis, General Manager Infrastructure & Operations

**Responsible Officer:** Bradley Salton, Group Manager City Assets

**Report Author:** Julian Bunting, Senior Adviser Civic & Open Space  
Frances Hudson, Service Manager Civic & Open Space

**Attachments:**

1. Draft Land Management Plan - Temporary Commercial Use of Public Open Space (Council Trustee Reserves) [↓](#)
2. LMP Policy and Legislative Framework - key principles [↓](#)
3. Submission Review Report [↓](#)

### **PURPOSE**

To seek endorsement of the draft *Land Management Plan: Temporary Commercial Use of Public Open Space (Council trustee reserves)*.

### **BACKGROUND**

On 3 April 2019 Council resolved in part (2019/121) to:

1. *Adopt the Temporary Commercial Use of Public Open Space Policy POL-3030.*
2. *Endorse the preparation of a Land Management Plan to add State reserves to the mix of parks and open spaces available for temporary commercial activities.....*

In July 2019 a supporting guideline (OSM-002-001-G) for the temporary commercial use of public open space was approved. The initial policy, now known as Administrative Directive OSM-002-AD (AD), and guideline were developed as part of Council's overall commitment to deliver on key recommendations of the Redland Open Space Strategy 2012-2026 (OSS) to support sustainable levels of temporary commercial activity in public open space.

Temporary commercial activities, also known as secondary uses, are predominantly low-scale (not exceeding a footprint of 30m<sup>2</sup>) and occur where goods or services are offered for sale for a fee. A diverse range of activities are contemplated across four market segments including food and beverage vending (e.g. food and beverage vans), fitness and recreation activities (e.g. personal fitness, hire of paddlecraft, bikes, scooters), entertainment and leisure (e.g. open air cinemas, markets), and tourism (e.g. canoe and kayak tours).

In total, approximately 68 parks have been identified as potentially suitable for temporary commercial activities. This comprises 39 Council owned parks (freehold lots) and 29 State Reserves

where Council is the trustee. A Land Management Plan (LMP) is required to be submitted to the State Government for approval to enable secondary use of temporary commercial activities on the 29 Council trustee State Reserves.

## ISSUES

### Compliance with the *Land Act, 1994* and the Queensland Government's Operational Policy

The draft LMP (Attachment 1) is required to demonstrate compliance with the *Land Act 1994*, *Land Regulation 2020*, and the Queensland Department of Resources (DoR) *Operational Policy: Secondary use of Trust land under the Land Act SLM/2013/493 Version 6.01*. Key principles embedded within the policy and legislation framework that apply to LMP's are outlined in Attachment 2.

### Draft Land Management Plan

The AD and guideline provides an overarching policy framework, with a consistent approach to the assessment, approval (permit) and ongoing management of temporary commercial activities within designated parks and open spaces. The draft LMP is a key part of this overarching policy framework and specifically relates to the 29 Council trustee State Reserves providing additional controls and limitations for temporary commercial activities. The LMP deals with a network of state reserves and provides justification that the temporary commercial activities proposed allows the park to be used for its dedicated community purpose without undue interruption or obstruction.

### Community Consultation

The draft LMP was released for community consultation between 30 October and 20 November 2020. A total of 94 submissions were received across a number of themes including environmental and heritage values; amenity and park usability; supporting infrastructure; park purpose and functionality; and other (impacts on local business, fees, approval time frame).

The submission review report at Attachment 3 summarises concerns raised by submitters and demonstrates how community and stakeholder feedback has been considered in finalising the draft LMP. In summary, following community consultation, a number of minor amendments were made to the draft LMP and supporting assessment process. These include:

- Removal of Coochiemudlo Foreshore West Park from the draft LMP.
- Amend Coochiemudlo Foreshore West Park to allow only one (1) secondary use facilitating the continuation of the existing boat hire business.
- Removal of Cleveland Point Recreation Reserve from the draft LMP.
- The following temporary commercial activities were excluded from G J Walter Park, Oyster Point Park and W H Yeo Park:
  - 'commercial coaching programs' (water based activities only)
  - 'hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing'
  - 'fishing charters'
  - 'canoe and kayak tours'
- The definition of a 'temporary commercial activity' has been amended to include charities and not-for-profit organisations in addition to commercial operators

- ‘Commercial promotion’ has been removed as a sub-type of temporary commercial activities
- Maximum footprint has been amended from ‘20-30m<sup>2</sup>’ to ‘30 m<sup>2</sup>’ – for small scale temporary commercial activities
- The expression of interest (EOI) process has been extended from once every two (2) years to once every three (3) years

The submission review report at Attachment 3 is available on Council’s *Your Say Redlands Coast* webpage demonstrating how community feedback has been considered in the preparation of the Draft LMP.

#### Next Steps – Implementation

Subject to the State Government’s approval of the LMP, implementation could commence. In summary implementation comprises the following steps:

1. Refinement of supporting communications i.e. webpage, fact sheets, EOI forms, applications forms
2. Prepare EOI project plan and communication plan
3. Undertake EOI to shortlist applicants
4. Engage with existing park lease holders for relevant sites
5. Assessment of applications and issue of certificate of approvals (permits)
6. Management of current approval holders, through extending interim approvals to align with proposed EOI timeframe and notifying current holders when the EOI is released.
7. Management of applicant enquiries and complaints.

To streamline the implementation phase and maximise the number of sites available for local businesses, it is recommended that state reserves and Council owned parks are bundled under the same EOI and application process. Based on an average of two temporary commercial activities per park (68 parks) the maximum number of temporary commercial uses that could be accommodated would be in the order of 140. However, it is recognised that not all sites are the same and some parks will attract a higher level of interest. On this basis Council expects to receive a take up-rate of approximately fifty percent (50%), reducing the number of potential permits to 70.

To comply with the requirements of subordinate Local Law 1.2 (*Commercial Use of Local Government Controlled Areas and Roads*) 2015, the assessment of applications and issue of certificate of approvals (step 4) needs to occur on an annual basis. However, the EOI process (step 2) could potentially occur once every three years. Over time, this will reduce the time required to process and assess applications for temporary commercial activities.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

The LMP seeks to meet Council’s statutory obligations in relation to the:

- *Land Act 1994*
- *Land Regulation 2020*

**Risk Management**

Endorsing the LMP will assist Council in supporting a sustainable level of commercial activity within State reserves and mitigating the following medium level risks:

- Adverse impacts on local businesses that provide the same or similar products.
- Temporary commercial activities that become substantially exclusive and or commercial.
- Unregulated activities that are inconsistent with the community purpose of the reserve, or expand beyond the normal recreation and leisure functions that occur within the park.
- Commercial vendors operating without awareness and understanding of their responsibilities to be good neighbours, and to ensure use and enjoyment for all park users.

However, if the LMP is not endorsed by Council, 29 Council trustee reserves will be removed from the total number of sites available (68) for temporary commercial activities.

**Financial**

The approval of the LMP and submission of the document to the Queensland DoR can be undertaken by existing resources and budget. The implementation phase can be resourced through anticipated FY 2021/22 operational budgets. Progression the next phase of the EOI will require minor administrative costs, such as advertising of the EOI and officer resources to manage the EOI process. These are able to be funded within existing operational budgets.

**People**

Adopting the LMP has no impact on Council resources, however progressing to the EOI will require some officer capacity. City Sports and Venues (CSV) currently have carriage over permits and implementation of temporary commercial activities with assistance from key stakeholders such as Civic and Open Space Asset Management (COSAM) and Compliance Services (CS). CSV currently manage approximately 45 permits for temporary commercial activities, 26 of which comprise personal trainers. It is important to note that there is a well-developed assessment framework in place including forms, templates, communications and webpage material to assist with implementation of temporary commercial activities on State reserves and Council owned parks. The rollout of the EOI will take approximately three to six month depending on the responses, clarifications and finalisation of the process.

**Environmental**

There are no known environmental implications associated with this report.

**Social**

The implementation of the LMP is expected to deliver positive social impacts through greater activation of our parks and open spaces and opportunities for social interaction. However, it is also noted that there may be some adverse social impacts associated with a perceived loss of amenity through an increase in noise and activity especially for those residents that may reside close to the State reserve. In the development and consultation of the draft LMP the community were invited to provide input with minor amendments incorporated in the draft LMP. The implementation of the LMP will be supported by an improved management framework that includes communication activities and permit conditions such as good neighbour practices. This provides Council with additional mechanisms to help manage these activities and impacts.

## Human Rights

There are no known human rights implications associated with this report.

## Alignment with Council's Policy and Plans

Redland Open Space Strategy 2012 - 2026

Corporate Plan 2018 – 2023

Our Future Redlands – A Corporate Plan to 2026 and Beyond

## CONSULTATION

Consulted	Consultation Date	Comments/Actions
Queensland Government Department of Resources	7 August 2020  30 September 2020  12 November 2020	<ul style="list-style-type: none"> <li>Statutory obligations under the <i>Land Act 1994</i> - LMP to facilitate secondary uses of Trust Land</li> <li>Alignment with operational policy: <i>Secondary use of Trust land under the Land Act SLM/2013/493 Version 6.01</i></li> <li>Alignment of Council's lot boundaries and the lot boundaries shown in the State Government's digital cadastral database (DCDB).</li> <li>Concern over "commercial promotion" as a commercial activity sub-type.</li> </ul>
Parks and Conservation	7 May 2020  9 November 2020	<ul style="list-style-type: none"> <li>One-on-one consultation seeking views in relation to temporary commercial use on selected state reserves</li> <li>Designated areas within the North Stradbroke Island context</li> <li>Staff resourcing for implementation</li> </ul>
City Sports and Venues	7 May 2020  30 September 2020	<ul style="list-style-type: none"> <li>One-on-one consultation seeking views in relation to temporary commercial use on selected state reserves</li> <li>Staff resourcing / timing for implementation</li> <li>Transition for current approval holders</li> <li>Approval time frame</li> <li>Ongoing compliance</li> </ul>
Communication, Engagement & Tourism	7 May 2020  9 November 2020	<ul style="list-style-type: none"> <li>One-on-one consultation seeking views in relation to temporary commercial use on selected state reserves</li> <li>Opportunities for tourism operators</li> <li>Integration with events</li> <li>Transition for current approval holders</li> <li>Approval time frame</li> <li>Supporting infrastructure</li> <li>Consultation process</li> </ul>
Environment Regulation	7 May 2020  9 November 2020	<ul style="list-style-type: none"> <li>One-on-one consultation seeking views in relation to temporary commercial use on selected state reserves</li> <li>Site suitability</li> <li>Environmental considerations</li> </ul>
Indigenous Partnerships and Programs Coordinator	9 November 2020	<ul style="list-style-type: none"> <li>Trusteeship for state reserves</li> <li>Cultural sensitivities and considerations</li> </ul>
Compliance Services	7 May 2020  9 November 2020	<ul style="list-style-type: none"> <li>One-on-one consultation seeking views in relation to temporary commercial use on selected state reserves</li> <li>Ongoing compliance</li> <li>Staff resourcing for implementation</li> </ul>
Strategic Property	7 May 2020  9 November 2020	<ul style="list-style-type: none"> <li>One-on-one consultation seeking views in relation to temporary commercial use on selected state reserves</li> <li>Trustee permits</li> </ul>



Consulted	Consultation Date	Comments/Actions
Economic Development	7 May 2020 9 November 2020	<ul style="list-style-type: none"> <li>One-on-one consultation seeking views in relation to temporary commercial use on selected state reserves</li> <li>Opportunities for local business</li> </ul>

## OPTIONS

### Option One

That Council resolves as follows:

1. To endorse the *Land Management Plan: Temporary Commercial Use of Public Open Space (Council trustee reserves)* at Attachment 1.
2. To refer the draft *Land Management Plan: Temporary Commercial Use of Public Open Space (Council trustee reserves)* to the Queensland Government Department of Resources for approval.
3. To note the contents of the report and the submission review report at Attachment 3.

### Option Two

That Council resolves as follows:

1. Not to endorse the *Land Management Plan: Temporary Commercial Use of Public Open Space (Council trustee reserves)* at Attachment 1.
2. To note the risks of not endorsing the draft LMP will result in 29 Council trustee reserves being removed from the total number of sites available (68) for temporary commercial activities.

## OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/156

Moved by: Cr Peter Mitchell

Seconded by: Cr Paul Bishop

That Council resolves as follows:

1. To endorse the *Land Management Plan: Temporary Commercial Use of Public Open Space (Council trustee reserves)* at Attachment 1.
2. To refer the draft *Land Management Plan: Temporary Commercial Use of Public Open Space (Council trustee reserves)* to the Queensland Government Department of Resources for approval.
3. To note the contents of the report and the submission review report at Attachment 3.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.



# Redland City Council

Land Management Plan  
Temporary Commercial Use of Public Open Space  
(Council Trustee Reserves)

## Document Control:

Version	Date	Document Issue	Author	Reviewer	Recipient
1	24.06.20	Draft LMP Report	CP, HC	DC	JB
2	15.07.20	Draft LMP Report (revised)	CP, HC	DC	JB
3	28.07.20	Draft LMP Report (revised)	CP, HC	DC	JB
4	29.07.20	Draft LMP Report (revised)	CP, HC	DC	JB
5	30.07.20	Draft LMP Report (revised)	CP, HC	DC	JB
6	21.04.21	Revised LMP Report	CP, HC	DC	JB
7	17.05.21	Revised LMP Report	CP, HC	DC	JB

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## 1. INTRODUCTION

Redland City Council supports a range of temporary commercial activities that activate its parks and open spaces to create vibrant places and liveable communities. A temporary commercial activity occurs where goods or services are offered for sale, for a fee, or where a business is promoted such as:

- ☐ personal training and sports coaching programs
- ☐ mobile food and beverage vans
- ☐ hire of recreation equipment (canoes, bikes, scooters)
- ☐ entertainment (open air cinemas, jumping castles, children's petting zoo)
- ☐ tourist based activities (canoe and kayak tours).

Council aims to ensure that temporary commercial activities:

- ☐ Enhance visitor experience
- ☐ Support the health and wellbeing of the community
- ☐ Complement the function, purpose and size of the park
- ☐ Create opportunities for social interaction
- ☐ Support the tourism industry and local employment opportunities
- ☐ Are sustainable by complementing the park's recreational, environmental, social, and cultural values.

This Land Management Plan applies to a network of trust land that has been identified by Council as providing the potential to accommodate temporary commercial activities as a secondary use of the land.

This Land Management Plan has been developed in accordance with the requirements of the *Land Act*, 1994 and complies with the Department of Resources Operational Policy - Secondary Use of Trust Land under the Land Act.

**1.1 LAND COVERED BY THE LAND MANAGEMENT PLAN**

This land management plan applies to a network of trust land, as outlined in the following table:

Ref	Subject land name	Lot and Plan
1	Amity Point Recreation Reserve	Part lot 2 SP251715
2	Apex Park	Part lot 144 SL2677
3	Coochiemudlo Foreshore (5309) East	Part lot 24 SP199973
4	Cylinder Beach Foreshore	Part lot 48 SP306495
5	Cylinder Headland Foreshore	Part lot 48 SP306495
6	Fielding Park	900 SP143003 and 1 SP296095
7	G J Walter Park	66 SP115554
8	Headland Park	170 SL12240
9	Henry Ziegenfusz Park	1 CP857140, 33 RP192695 and 2 SP198443
10	Jackson Oval	37 SL5485
11	Jock Kennedy Park	99 SP166361 and 98 SP166361
12	John Edward Downie Sportsfield	901 SP173995 and 901 SP167336
13	John Frederick Park	83 SL5432
14	Judy Holt Recreation Reserve	Part lot 139 SP318848
15	Laurie Burns Recreation Reserve	4 SP115493
16	Mount Cotton Community Park	915 SP221149
17	Norfolk Park	19 SP168495
18	Oyster Point Park	144 C628
19	Point Lookout Oval	Part lot 2 SP311174
20	Raby Bay Boulevard Park	868 SP273267
21	Raby Bay Foreshore Park	449 SL12369 and 526 SL12657
22	Raby Bay Harbour Park	161 CP883370
23	Raby Esplanade Park	527 CP897392 and 27 RP169755
24	Ron Stark Oval	12 CP865858
25	Shore Street North Foreshore	901 SP125491
26	Victoria Point Recreation Reserve	136 SP127969
27	W H Yeo Park	1 SP225019, 2 SP225020 and 24 RP140429
28	Wellington Point Recreation Reserve	Part lot 182/SL10824, 54 SP109487, 89 SL10815, 199 SL8594, 1 RP815066, 4 RP815066, Part lot 183 SL12828
29	William Stewart Park	2 RP212526

## 1.2 PLANNING CONTEXT FOR COMMERCIAL USE OF PUBLIC OPEN SPACE

The figure below outlines the planning context for the Commercial Use of Open Space within the Redlands City Council area.

<b>COMMONWEALTH / NATIONAL</b>	<b>LEGISLATION</b> Disability Discrimination Act 1992 Telecommunications Act 1997 Protection of the Environment Act 1997 Work Health and Safety Act 2011 Native Title Act 1993 Environment Protection and Biodiversity Conservation Act 1999	<b>PLANNING &amp; DESIGN STANDARDS</b> Smart Cities Plan 2016 PIA Journey towards 50 million 2016 Australian Standards including: - Building Code of Australia - Risk management
<b>QUEENSLAND</b>	<b>LEGISLATION</b> Land Act 1994 Local Government Act 2009 Planning Act 2016 and Planning Regulation 2017 Environmental Protection Act 1994 Transport Infrastructure Act 1994 Anti-Discrimination Act 1995	<b>PLANNING &amp; POLICY</b> State Planning Policies Queensland Greenspace Strategy Shaping SEQ - South East Queensland Regional Plan 2017 Operational Policy: Secondary use of Trust land under the Land Act SLM/2013/493 Version 6.01
<b>REDLAND CITY COUNCIL</b>		
<b>CORPORATE</b>	<b>PLANS AND STRATEGIES</b> Redland City Plan 2018 Local Government Infrastructure Plan Redlands 2030 Community Plan Corporate Plan 2018-2023 Strategic Asset Management Plan 2019-2029 Financial Strategy 2020-2030	<b>POLICY</b> Local Law No. 1: Administration Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2015 OSM-002-AD Temporary Commercial Use of Public Open Space Administrative Directive OSM-002-001-G Temporary Commercial Use of Public Open Space Guideline INV-001-A Economic Sustainability Administrative Directive CDV-007 A Strong Communities Administrative Directive OSM-001 A Public Open Space Policy Administrative Directive
<b>STRATEGIC</b>	Economic Development Framework 2014-2041 Redland City Tourism Strategy and Action Plan 2015-2020 Redland Open Space Strategy 2026	
<b>IMPLEMENTATION</b>	<b>MASTER AND MANAGEMENT PLANS</b>	
	<b>CAPITAL WORKS PROGRAMS</b>	
	<b>MAINTENANCE PROGRAMS</b>	
	<b>USE AGREEMENTS (LEASE, LICENCE, PERMITS)</b>	
	<b>COMMUNICATION AND PROMOTION INFORMATION</b>	



**1.3 LAND MANAGEMENT PLAN DURATION**

Duration:	Ten years 2021 - 2031
Review:	Review of the land management plan will occur: <ul style="list-style-type: none"> <li>– in consultation with relevant users/lessees at least every five (5) years</li> <li>– notice of the requirement for such review being given, or</li> <li>– earlier as required by the Minister, subject to three (3) months notice being given to the trustee of a requirement for review from the Minister in accordance with the <i>Land Act 1994</i>.</li> </ul>

Minor amendment may be made by the trustee to improve operational efficiency of the plan with the amended land management plan being submitted for approval under the *Land Act 1994* within one (1) month of such amendment being made.

**2. TRUSTEE DETAILS**

<b>2.1 TRUSTEE'S NAME</b>	Redland City Council
<b>2.2 TRUSTEE'S ADDRESS</b>	PO Box 21, Cleveland QLD 4163

**3. EXISTING TENURE OF THE SUBJECT LAND**

As this Land Management Plan covers a network of trust land, the details of the existing tenure of each site are contained within the following pages.

**4. EXISTING USES OF THE TRUSTEE LAND**

As this Land Management Plan covers a network of trust land, the details of the existing uses of each site are contained within the following pages.

## 5. PROPOSED USES OF THE TRUSTEE LAND

As this Land Management Plan covers a network of trust land, the details of the proposed uses of each site are contained within the following pages.

**TABLE 01: TEMPORARY COMMERCIAL ACTIVITY CATEGORIES**

Food and beverage retailing	Fitness and recreation	Entertainment	Tourism based activities
<input type="checkbox"/> mobile beverage vendors <input type="checkbox"/> mobile coffee vendors <input type="checkbox"/> mobile food vendors <input type="checkbox"/> street food <input type="checkbox"/> all uses not to exceed 30m2	<input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> bike hire <input type="checkbox"/> all uses not to exceed 30m2	<input type="checkbox"/> children's petting zoo <input type="checkbox"/> jumping castles <input type="checkbox"/> markets (that do not exceed a frequency of one / month) <input type="checkbox"/> open air cinema <input type="checkbox"/> wedding ceremonies involving a catered event <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2	<input type="checkbox"/> Indigenous and cultural tours <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours <input type="checkbox"/> all uses not to exceed 30m2
Temporary commercial activities do not include the following			
<input type="checkbox"/> food and drink outlet as defined under the City Plan 2018	<input type="checkbox"/> major or annual sporting events <input type="checkbox"/> outdoor sport and recreation as defined under the City Plan 2018 <input type="checkbox"/> personal trainers and sports coaches instructing up to 5 people	<input type="checkbox"/> commercial promotion <input type="checkbox"/> film making <input type="checkbox"/> community, cultural or education events undertaken by not-for-profit or charity organisations <input type="checkbox"/> events that require an approval for a Temporary Entertainment Event under Subordinate Local Law 1.12.	<input type="checkbox"/> tourist attraction as defined under the City Plan 2018 <input type="checkbox"/> tourist park as defined under the CityPlan 2018

Note: Applicants and approval holders must ensure that the secondary use generally avoids vehicles being parked on sports ovals unless existing leaseholders provide their written agreement

**KEY DEFINITIONS**

Temporary commercial activities includes a commercial operator, charity or not-for-profit organization that provides goods or services within parks and open spaces that:

- ☐ involves a commercial benefit or transaction and is a registered business/ company with a current ABN/ACN
- ☐ complements and aligns with the primary functions of the open space
- ☐ is secondary and subservient to the open space
- ☐ primarily serves existing park users
- ☐ is non-permanent and limited to temporary structures
- ☐ does not constitute assessable development under the *Planning Act 2016*.

Local schools, film making and professional photography, surf life saving clubs, community events, fund raisers, memorial services, footpath dining on road reserves or community based sporting clubs are excluded from this definition. Film making, professional photography, footpath dining and entertainment events are controlled by separate guidelines.

Commercial Operators are defined as those who expect to generate income from their venture and whose net profits are dispersed to individual members or to any other organisation, which in turn distributes these funds to individual members. Included in this definition are private individuals, businesses, private schools and private organisations.

### 5.1 RESERVE PURPOSE DEFINITIONS AND CONSISTENT USES

The definitions for each of the reserve purposes as well as the relevant temporary commercial activities deemed as consistent uses are outlined in the table below.

The proposed consistent secondary uses do not diminish the purposes of the reserves. Further to the justification outlined in the table below, refer to the criteria and provisions for the ongoing management of the relevant category of the secondary use [Redland City Council's administrative directive and associated guideline for the Temporary Commercial use of Public Open Space and Fact Sheet No.2 - Temporary commercial activities (Eligibility and assessment) criteria].

**TABLE 02. RESERVE PURPOSE DEFINITIONS AND CONSISTENT USES**

Reserve purpose	State Reserve (including number of secondary uses per site)	Land Act (1994) Definition
Park	<input type="checkbox"/> Raby Bay Boulevard Park (3) <input type="checkbox"/> Raby Bay Foreshore Park (3) <input type="checkbox"/> Raby Esplanade Park (3) <input type="checkbox"/> Shore Street North Foreshore (1)	To be used for low-key recreational uses (e.g. picnics, small children's playground, park bench)
Park and Recreation	<input type="checkbox"/> Apex Park (1) <input type="checkbox"/> John Edward Downie Sportsfield (3) <input type="checkbox"/> Fielding Park (3) <input type="checkbox"/> G J Walter Park (3) <input type="checkbox"/> Henry Ziegenfusz Park (2) <input type="checkbox"/> Jock Kennedy Park (1) <input type="checkbox"/> Judy Holt Recreation Reserve (3) <input type="checkbox"/> Mount Cotton Community Park (3) <input type="checkbox"/> Raby Bay Harbour Park (3) <input type="checkbox"/> W H Yeo Park (2) <input type="checkbox"/> William Stewart Park (2)	<p>Park purpose - To be used for low-key recreational uses (e.g. picnics, small children's playground, park bench)</p> <p>Recreation purpose - To be used for informal active recreation facilities (e.g. bicycle track, cricket net, tennis walls, half-size tennis or basketball courts).</p>
Recreation	<input type="checkbox"/> Amity Point Recreation Reserve (3) <input type="checkbox"/> Coochiemudlo Foreshore East 5309 (1) <input type="checkbox"/> Headland Park (2) <input type="checkbox"/> Jackson Oval (3) <input type="checkbox"/> John Fredericks Park (3) <input type="checkbox"/> Oyster Point Park (3) (sub-purpose: Public) <input type="checkbox"/> Point Lookout Oval (3) <input type="checkbox"/> Victoria Point Recreation Reserve (1) <input type="checkbox"/> Wellington Point Recreation Reserve (2)	To be used for informal active recreation facilities (e.g. bicycle track, cricket net, tennis walls, half-size tennis or basketball courts).
Recreation and Local Government Sub-purpose Refuse Disposal	<input type="checkbox"/> Laurie Burns Recreation Reserve Sub-Purpose: Refuse Disposal (3)	Local Government reserves were dedicated under the repealed Land Act 1962, which is no longer a community use under the Land Act 1994. These are called 'essential operational trust land' reserves as they were set aside for public purposes essentially. Reserve for Local Government may also include a sub-purpose, which will indicate the use i.e. dog pound, harbour facilities, depots, workshops, car parks etc.

Reserve Purpose (including applicable reserves)	Justification (all criteria for each of the consistent uses must be met)
<b>Park</b> <input type="checkbox"/> Raby Bay Boulevard Park (3) <input type="checkbox"/> Raby Bay Foreshore Park (3) <input type="checkbox"/> Raby Esplanade Park (3) <input type="checkbox"/> Shore Street North Foreshore (1)	<input type="checkbox"/> Refer to individual site details in section 6.0 below.
<b>Park and Recreation</b> <input type="checkbox"/> Apex Park (1) <input type="checkbox"/> John Edward Downie Sportsfield (3) <input type="checkbox"/> Fielding Park (3) <input type="checkbox"/> G J Walter Park (3) <input type="checkbox"/> Henry Ziegenfusz Park (2) <input type="checkbox"/> Jock Kennedy Park (1) <input type="checkbox"/> Judy Holt Recreation Reserve (3) <input type="checkbox"/> Mount Cotton Community Park (3) <input type="checkbox"/> Raby Bay Harbour Park (3) <input type="checkbox"/> W H Yeo Park (2) <input type="checkbox"/> William Stewart Park (1)	<input type="checkbox"/> Refer to individual site details in section 6.0 below.
<b>Recreation</b> <input type="checkbox"/> Amity Point Recreation Reserve (3) <input type="checkbox"/> Coochiemudlo Foreshore East 5309 (1) <input type="checkbox"/> Headland Park (2) <input type="checkbox"/> Jackson Oval (3) <input type="checkbox"/> John Fredericks Park (3) <input type="checkbox"/> Oyster Point Park (3) (sub-purpose: Public) <input type="checkbox"/> Point Lookout Oval (3) <input type="checkbox"/> Victoria Point Recreation Reserve (1) <input type="checkbox"/> Wellington Point Recreation Reserve (2)	<input type="checkbox"/> Refer to individual site details in section 6.0 below.
<b>Recreation and Local Government Sub-purpose Refuse Disposal</b> <input type="checkbox"/> Laurie Burns Recreation Reserve Sub-Purpose: Refuse Disposal (3)	<input type="checkbox"/> Refer to individual site details in section 6.0 below.

Reserve purpose	State Reserve (including number of secondary uses per site)	Land Act (1994) Definition
Local Government	<input type="checkbox"/> Norfolk Park (3)	Local Government reserves were dedicated under the repealed Land Act 1962, which is no longer a community use under the Land Act 1994. These are called 'essential operational trust land' reserves as they were set aside for public purposes essentially. Reserve for Local Government may also include a sub-purpose, which will indicate the use i.e. dog pound, harbour facilities, depots, workshops, car parks etc.
Recreation and Scenic Purposes	<input type="checkbox"/> Cylinder Beach Foreshore (3) <input type="checkbox"/> Cylinder Headland Foreshore (1)	Used for land that provides a unique or special opportunity for the public to view a particular physical feature (e.g. waterfall, gorge, rock formation) or an area of significant natural beauty or aesthetic appeal (e.g. spectacular river valley, an area of pristine rainforest or an area of rugged coastline).  In some cases, the actual land within the scenic reserve may not have any special physical or environmental attributes other than the views which are available from the land (e.g. in cases where the scenic reserve is the only practical lookout beside a road).
Recreation and Camping (superseded reserve purpose type)	<input type="checkbox"/> Ron Stark Oval (3)	Under the Land Act 1994 there are no purposes under Schedule 1 for camping anymore – this was only under the repealed Land Act 1962. Where recreational camping is an occasional or incidental use of the reserve, if set aside for Reserve for Camping, it can be accepted as a legitimate activity without concern about consistency with the purpose of the reserve.

Reserve Purpose (including applicable reserves)	Justification (all criteria for each of the consistent uses must be met)
Local Government <input type="checkbox"/> Norfolk Park (3)	<input type="checkbox"/> Refer to individual site details in section 6.0 below.
Recreation and Scenic Purpose <input type="checkbox"/> Cylinder Beach Foreshore (3) <input type="checkbox"/> Cylinder Headland Foreshore (1)	<input type="checkbox"/> Refer to individual site details in section 6.0 below.
Recreation and Camping (superseded reserve purpose type) <input type="checkbox"/> Ron Stark Oval	<input type="checkbox"/> Refer to individual site details in section 6.0 below.



## 6.0 INDIVIDUAL SITE DETAILS

The following tables outline the existing tenure, existing uses, and proposed uses of the trustee land.

6.1 AMITY POINT RECREATION RESERVE	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Recreation purposes - R N/a
LOT/PLAN	Part lot 2 SP251715
PARISH/COUNTY	Stradbroke/County unknown
LOCALITY	Amity Point
LOCAL GOVERNMENT	Redland City
AREA OF LAND	13.69ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site contains a sports park including sports field and public amenities. Playground, picnic facilities, informal recreation and water access are secondary uses.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Trustee Leases: <input type="checkbox"/> Amity Point Social Cricket and Sporting Club <input type="checkbox"/> Amity Point Community Club Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	Food and beverage retailing <input type="checkbox"/> mobile beverage vendors <input type="checkbox"/> mobile coffee vendors <input type="checkbox"/> mobile food vendors <input type="checkbox"/> street food Fitness and recreation <input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> bike hire Entertainment / Other <input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week) <input type="checkbox"/> jumping castles (not exceeding a frequency of two / week) <input type="checkbox"/> markets (not exceeding a frequency of one / month) <input type="checkbox"/> open air cinema (not exceeding a frequency of two / week) <input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week) <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2 Tourism based activities <input type="checkbox"/> Indigenous and cultural tours <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to three (3) <input type="checkbox"/> a small footprint – the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park

6.2 APEX PARK	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R245
LOT/PLAN	Part lot 144 SL2677
PARISH/COUNTY	Capalaba/ County unknown
LOCALITY	Wellington Point
LOCAL GOVERNMENT	Redland City
AREA OF LAND	2.52ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for recreation (both formal and informal). The site provides a BMX track, park structure and play equipment.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to one (1)</p> <p><input type="checkbox"/> a small footprint – the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.3 COOCHIEMUDLO FORESHORE (EAST)	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Recreation purposes - R2033
LOT/PLAN	Part lot 24 SP199973
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Coochiemudlo Island
LOCAL GOVERNMENT	Redland City
AREA OF LAND	3.85ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for informal recreation. Formal car parking areas exist, as well as park infrastructure, a jetty, boat ramp, public toilets and access to the foreshore.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative advice - Land Notice under Land Act 1994
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	Fitness and recreation <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> bike hire
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to one (1) <input type="checkbox"/> a small footprint – the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park

6.4 CYLINDER BEACH FORESHORE	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Recreation and Scenic purposes - R N/a
LOT/PLAN	Part lot 48 SP306495
PARISH/COUNTY	Stradbroke/ County unknown
LOCALITY	Point Lookout
LOCAL GOVERNMENT	Redland City
AREA OF LAND	6.42ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for informal recreation. The site contains a large car park (both formal and informal sections), as well as park infrastructure that supports site users.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Trustee Lease - Cylinder Beach Caravan Park Administrative Advice - Heritage Site, Queensland Heritage Act 1992
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint – the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p> <p><input type="checkbox"/> Food and beverage retailing located appropriately within car parking area</p>

6.5 CYLINDER HEADLAND FORESHORE	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Recreation and Scenic purposes - R N/a
LOT/PLAN	Part lot 48 SP306495
PARISH/COUNTY	Stradbroke/ County unknown
LOCALITY	Point Lookout
LOCAL GOVERNMENT	Redland City
AREA OF LAND	2.97ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used to support recreation. It contains formal car parking as well as walking tracks.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Heritage Site, Queensland Heritage Act 1992
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to one (1)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p> <p><input type="checkbox"/> Food and beverage retailing located appropriately within car parking area</p>

6.6 JOHN EDWARD DOWNIE SPORTSFIELD	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R N/a
LOT/PLAN	901 SP173995 901 SP167336
PARISH/COUNTY	Redland/ County unknown
LOCALITY	Redland Bay
LOCAL GOVERNMENT	Redland City
AREA OF LAND	7.21ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site contains a large sports park and includes supporting facilities such as a soccer field, a basketball court, and skate park.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Trustee Lease - Victoria Point Magic Football Club Inc Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> jumping castles (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> markets (not exceeding a frequency of one / month)</p> <p><input type="checkbox"/> open air cinema (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.7 FIELDING PARK	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R N/a
LOT/PLAN	900 SP143003
PARISH/COUNTY	Redland/ County unknown
LOCALITY	Redland Bay
LOCAL GOVERNMENT	Redland City
AREA OF LAND	2.88ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The primary use of the site is for informal recreation. It contains a range of complementary facilities including picnic facilities, playgrounds and shared pathway.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> jumping castles (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> markets (not exceeding a frequency of one / month)</p> <p><input type="checkbox"/> open air cinema (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint – the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>



6.8 GJ WALTER PARK	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R 264
LOT/PLAN	66 SP115554
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Cleveland
LOCAL GOVERNMENT	Redland City
AREA OF LAND	5.45ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for informal recreation, with a secondary use of sport. It contains a large formal car park and a range of complementary facilities including picnic facilities, playgrounds, cricket pitch, dog off-leash area and public amenities.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Commonwealth Scientific and Industrial Research Organisation Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. commercial triathlon/cycle (excluding water-based activities)</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> jumping castles (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> markets (not exceeding a frequency of one / month)</p> <p><input type="checkbox"/> open air cinema (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.9 HEADLAND PARK	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Recreation purposes - R1362
LOT/PLAN	170 SL12240
PARISH/COUNTY	Stradbroke/ County unknown
LOCALITY	Point Lookout
LOCAL GOVERNMENT	Redland City
AREA OF LAND	1.79ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The primary use of the site is for recreation. It provides a car parking area as well as amenities and informal access to the beach.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Licence Point Lookout Bushcare Group Administrative Advice - Heritage Site, Queensland Heritage Act 1992
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to two (2)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.10 HENRY ZIEGENFUSZ PARK	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R 5071
LOT/PLAN	1 CP857140, 33 RP192695 and 2 SP198443
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Cleveland
LOCAL GOVERNMENT	Redland City
AREA OF LAND	8.39ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site contains sports park including sports fields as well as a range of complementary infrastructure such as cricket nets, basketball court, club buildings and public amenities. Playground and picnic facilities are secondary uses.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Trustee Lease - <input type="checkbox"/> Cleveland Thornlands Cricket Club Inc <input type="checkbox"/> Redlands Hockey Assoc Inc <input type="checkbox"/> Redland Aero Model Soarers Inc Administrative Advice - Land Notice
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	Food and beverage retailing <input type="checkbox"/> mobile beverage vendors <input type="checkbox"/> mobile coffee vendors <input type="checkbox"/> mobile food vendors <input type="checkbox"/> street food Fitness and recreation <input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> bike hire Entertainment / Other <input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week) <input type="checkbox"/> jumping castles (not exceeding a frequency of two / week) <input type="checkbox"/> markets (not exceeding a frequency of one / month) <input type="checkbox"/> open air cinema (not exceeding a frequency of two / week) <input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week) <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2 Tourism based activities <input type="checkbox"/> Indigenous and cultural tours
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to two (2) <input type="checkbox"/> a small footprint - the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park

6.11 JACKSON OVAL	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Recreation purposes - R 2236
LOT/PLAN	37 SL5485
PARISH/COUNTY	Russell/ County unknown
LOCALITY	Russell Island
LOCAL GOVERNMENT	Redland City
AREA OF LAND	1.77ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site contains a large sports park including a cricket oval, cricket nets, practice facilities and public amenities. Playground and picnic facilities are secondary uses.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> jumping castles (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> markets (not exceeding a frequency of one / month)</p> <p><input type="checkbox"/> open air cinema (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.12 JOCK KENNEDY PARK	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R N/a
LOT/PLAN	99 SP166361 and 98 SP166361
PARISH/COUNTY	Russell/ County unknown
LOCALITY	Russell Island
LOCAL GOVERNMENT	Redland City
AREA OF LAND	0.54ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The primary use of the site is for recreation. The site includes a range of complementary facilities including picnic facilities, car parking and boat ramp.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to one (1)</p> <p><input type="checkbox"/> a small footprint – the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.13 JOHN FREDERICK PARK	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Recreation purposes - R252
LOT/PLAN	83 SL5432
PARISH/COUNTY	Capalaba/ County unknown
LOCALITY	Capalaba
LOCAL GOVERNMENT	Redland City
AREA OF LAND	2.01ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The primary use of the site is for recreation. The site contains a number of supporting facilities including picnic facilities, playground, public amenities, car parking, dump point, canoe launching point and boat ramp.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Heritage Place (City Plan 2018) for Heritage Cobblestones Additionally, the Lions Club have an active presence in the Park
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint – the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.14 JUDY HOLT RECREATION RESERVE	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R3980
LOT/PLAN	SP318848
PARISH/COUNTY	Capalaba/ County unknown
LOCALITY	Birkdale
LOCAL GOVERNMENT	Redland City
AREA OF LAND	27.18ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site contains a large sports park including cricket ovals, rugby sports fields, cricket nets, practice facilities and associated club amenities. Dog obedience, men's shed, bush walking tracks, scout's facilities, playground and picnic facilities are secondary uses.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Trustee Lease: <input type="checkbox"/> Redlands Rugby Union And Recreation Club Inc <input type="checkbox"/> Alexandra Hills Men's Shed Inc <input type="checkbox"/> Redlands Multi-Sports Club Inc <input type="checkbox"/> Muddies Cricket Club Inc <input type="checkbox"/> Redlands Dog Obedience Club Inc Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	Food and beverage retailing <input type="checkbox"/> mobile beverage vendors <input type="checkbox"/> mobile coffee vendors <input type="checkbox"/> mobile food vendors <input type="checkbox"/> street food Fitness and recreation <input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> bike hire Entertainment / Other <input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week) <input type="checkbox"/> jumping castles (not exceeding a frequency of two / week) <input type="checkbox"/> markets (not exceeding a frequency of one / month) <input type="checkbox"/> open air cinema (not exceeding a frequency of two / week) <input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week) <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2 Tourism based activities <input type="checkbox"/> Indigenous and cultural tours
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to three (3) <input type="checkbox"/> a small footprint - the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park



6.15 LAURIE BURNS RECREATION RESERVE	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Recreation and Local Government purposes Sub-purpose Refuse Disposal - R2117
LOT/PLAN	4 SP115493
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Coochiemudlo Island
LOCAL GOVERNMENT	Redland City
AREA OF LAND	2.74ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site contains a large sports park and includes supporting facilities such as a cricket oval, tennis courts, bmx track, lawn bowls and public amenities. Playground and picnic facilities are secondary uses. The waste transfer station on the adjoining lot 3/ SP115493 does not affect the site.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Trustee Lease: <input type="checkbox"/> Telstra Corporation Limited <input type="checkbox"/> The State of Queensland (Public Safety Business Agency) <input type="checkbox"/> Coochiemudlo Island Recreation Club Inc Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	Food and beverage retailing <input type="checkbox"/> mobile beverage vendors <input type="checkbox"/> mobile coffee vendors <input type="checkbox"/> mobile food vendors <input type="checkbox"/> street food Fitness and recreation <input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> bike hire Entertainment / Other <input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week) <input type="checkbox"/> jumping castles (not exceeding a frequency of two / week) <input type="checkbox"/> markets (not exceeding a frequency of one / month) <input type="checkbox"/> open air cinema (not exceeding a frequency of two / week) <input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week) <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2 Tourism based activities <input type="checkbox"/> Indigenous and cultural tours
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to three (3) <input type="checkbox"/> a small footprint – the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park

6.16 MOUNT COTTON COMMUNITY PARK	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R N/a
LOT/PLAN	915 SP221149
PARISH/COUNTY	Redland/ County unknown
LOCALITY	Mount Cotton
LOCAL GOVERNMENT	Redland City
AREA OF LAND	16.68
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for recreation. It provides a range of facilities including playground, picnic facilities, dog off-leash area, skate park, physical activity stations, basketball half-court, walking paths and a space for festivals/events.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Queensland Bulk Water Supply Authority Easement Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> jumping castles (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> markets (not exceeding a frequency of one / month)</p> <p><input type="checkbox"/> open air cinema (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.17 NORFOLK PARK	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Local Government - R 255
LOT/PLAN	19 SP168495
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Cleveland
LOCAL GOVERNMENT	Redland City
AREA OF LAND	1.74ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The primary use of the site is for community purposes - entertainment centre and associated car parking.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.18 OYSTER POINT PARK	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Recreation purpose Sub-purpose Public - R273
LOT/PLAN	144 C628
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Cleveland
LOCAL GOVERNMENT	Redlands City
AREA OF LAND	1.76ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for recreation. It provides a range of supporting infrastructure including a playground, picnic facilities, barbecues, physical activity stations, walking paths and kick-about area with multi-purpose goal posts.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. commercial triathlon/cycle (excluding water-based activities)</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.19 POINT LOOKOUT OVAL	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Recreation purposes - R N/a
LOT/PLAN	2 SP311174
PARISH/COUNTY	Stradbroke/ County unknown
LOCALITY	Point Lookout
LOCAL GOVERNMENT	Redland City
AREA OF LAND	13.89ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for recreation. Infrastructure includes a community hall, playground, picnic facilities, barbecues, tennis courts, skate park, basketball half court, walking paths and kick-about area.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Licence: <input type="checkbox"/> Point Lookout Tennis Club Inc Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	Food and beverage retailing <input type="checkbox"/> mobile beverage vendors <input type="checkbox"/> mobile coffee vendors <input type="checkbox"/> mobile food vendors <input type="checkbox"/> street food Fitness and recreation <input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> bike hire Entertainment / Other <input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week) <input type="checkbox"/> jumping castles (not exceeding a frequency of two / week) <input type="checkbox"/> markets (not exceeding a frequency of one / month) <input type="checkbox"/> open air cinema (not exceeding a frequency of two / week) <input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week) <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2 Tourism based activities <input type="checkbox"/> Indigenous and cultural tours <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to three (3) <input type="checkbox"/> a small footprint - the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park

6.20 RABY BAY BOULEVARD PARK	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Park purposes - R5336
LOT/PLAN	868 SP273267
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Cleveland
LOCAL GOVERNMENT	Redland City
AREA OF LAND	9.30ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for recreation. The site includes a range of facilities to support its use including picnic facilities, barbecues, public amenities, foreshore beach, walking paths, kick-about area, water access, boat ramp, boat trailer parking and the Bayside Outrigger Canoe Club.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Licence to Occupy: <input type="checkbox"/> Bayside Outrigger Canoe Club Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	Food and beverage retailing <input type="checkbox"/> mobile beverage vendors <input type="checkbox"/> mobile coffee vendors <input type="checkbox"/> mobile food vendors <input type="checkbox"/> street food Fitness and recreation <input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> bike hire Entertainment / Other <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2 Tourism based activities <input type="checkbox"/> Indigenous and cultural tours <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to three (3) <input type="checkbox"/> a small footprint – the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park

6.21 RABY BAY FORESHORE PARK	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Park purposes - R4121
LOT/PLAN	449 SL12369 and 526 SL12657
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Cleveland
LOCAL GOVERNMENT	Redland City
AREA OF LAND	5.92ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for recreation. The park hosts a number of sporting and community events. It includes a range of complementary facilities including dog off-leash area, playground, extensive picnic facilities, barbecues, public amenities, sandy beach, walking paths, kick-about area, off-street car parking and swimming lanes.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>



6.22 RABY ESPLANADE PARK	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Park purposes - R5237
LOT/PLAN	527 CP897392 and 27 RP169755
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Ormiston
LOCAL GOVERNMENT	Redland City
AREA OF LAND	4.69ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for recreation. It provides a range of supporting infrastructure including a pontoon for canoe access, playground, picnic facilities, barbecues, basketball half court, physical activity stations, walking paths and kick-about area.
4.2 EXISTING INTERESTS	Easements and Encumbrances - South East Queensland Electricity Corporation Easement Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.23 RABY BAY HARBOUR PARK	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R4454
LOT/PLAN	161 CP883370
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Cleveland
LOCAL GOVERNMENT	Redland City
AREA OF LAND	1.03ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for recreation. The park includes a range of facilities including picnic facilities, board walk and walking paths.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> jumping castles (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> markets (not exceeding a frequency of one / month)</p> <p><input type="checkbox"/> open air cinema (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to three (3)</p> <p><input type="checkbox"/> a small footprint – the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.24 SHORE STREET NORTH FORESHORE	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Park purposes - R5336
LOT/PLAN	901 SP125491
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Cleveland
LOCAL GOVERNMENT	Redland City
AREA OF LAND	0.20ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The primary use of the site is for recreation. It provides some minor park infrastructure including picnic facilities.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p> <p><input type="checkbox"/> fishing charters</p> <p><input type="checkbox"/> canoe and kayak tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to one (1)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.25 RON STARK OVAL	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Recreation and Camping purposes - R1584
LOT/PLAN	12 CP865858
PARISH/COUNTY	Stradbroke/ County unknown
LOCALITY	Dunwich
LOCAL GOVERNMENT	Redland City
AREA OF LAND	3.48ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site contains a range of facilities including sports fields, public amenities, playground, picnic facilities, barbecues, tennis courts, and walking paths. Playground and picnic facilities are secondary uses.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Trustee Lease: <input type="checkbox"/> North Stradbroke Island Rugby League and All Sports Club Inc Administrative Advice - Native Title Determination 2012, Native Title Act 1993
4.3 NATIVE TITLE STATUS	Native Title Determination registered 2012
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	Fitness and recreation <input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> bike hire Entertainment / Other <input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week) <input type="checkbox"/> jumping castles (not exceeding a frequency of two / week) <input type="checkbox"/> markets (not exceeding a frequency of one / month) <input type="checkbox"/> open air cinema (not exceeding a frequency of two / week) <input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week) <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2 Tourism based activities <input type="checkbox"/> Indigenous and cultural tours <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to three (3) <input type="checkbox"/> a small footprint - the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park

6.26 VICTORIA POINT RECREATION RESERVE	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Recreation purposes - R2590
LOT/PLAN	136 SP127969
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Victoria Point
LOCAL GOVERNMENT	Redland City
AREA OF LAND	5.75ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The primary use of the site is for recreation. The site provides a range of infrastructure including ferry terminal, jetty, boat ramp, playground, picnic facilities, barbecues, and basketball half court.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Trustee Lease: <input type="checkbox"/> Volunteer Marine Rescue Victoria Point Administrative Advice - Land Notice under Land Act 1994
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	Food and beverage retailing <input type="checkbox"/> mobile beverage vendors <input type="checkbox"/> mobile coffee vendors <input type="checkbox"/> mobile food vendors <input type="checkbox"/> street food Fitness and recreation <input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> bike hire Entertainment / Other <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2 Tourism based activities <input type="checkbox"/> Indigenous and cultural tours <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to one (1) <input type="checkbox"/> a small footprint – the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park

6.27 W H YEO PARK	
3. EXISTING TENURE OF THE SUBJECT LAND	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R N/a
LOT/PLAN	1 SP225019, 2 SP225020 and 24 RP140429
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Victoria Park
LOCAL GOVERNMENT	Redland City
AREA OF LAND	1.09ha
CONDITIONS OF TENURE	Unknown
4. EXISTING USES	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The primary use of the site is for recreation. The site provides access to the foreshore and provides a range of supporting facilities including playground, picnic facilities, barbecues, basketball half court, public amenities, walking paths, kick-about area and off-street car parking.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Energex easement Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
5. PROPOSED USES OF THE SUBJECT LAND	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. commercial triathlon/cycle (excluding water-based activities)</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment / Other</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to two (2)</p> <p><input type="checkbox"/> a small footprint - the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

6.28 WELLINGTON POINT RECREATION RESERVE	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
<b>TRUST LAND DESCRIPTION</b>	Reserve for Recreation purposes - R243
<b>LOT/PLAN</b>	Part lot 182/SL10824, 54 SP109487, 89 SL10815, 199 SL8594, 1 RP815066, 4 RP815066, Part lot 183 SL12828
<b>PARISH/COUNTY</b>	Capalaba/ County unknown
<b>LOCALITY</b>	Wellington Point
<b>LOCAL GOVERNMENT</b>	Redland City
<b>AREA OF LAND</b>	7.65ha
<b>CONDITIONS OF TENURE</b>	Unknown
<b>4. EXISTING USES</b>	
<b>4.1 EXISTING USES - PRIMARY AND SECONDARY</b>	The primary use of the site is recreation. The park includes a range of supporting facilities including extensive picnic facilities, barbecues, public amenities, jetty, boat ramp, bathing area, sandy beach, walking paths and off-street car parking.
<b>4.2 EXISTING INTERESTS</b>	Easements and Encumbrances - Trustee Lease: <input type="checkbox"/> State of Qld (Moreton Bay Institute of TAFE) - Sailing Club Administrative Advice - Nil
<b>4.3 NATIVE TITLE STATUS</b>	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
<b>5.1 PROPOSED USES OF THE SUBJECT LAND</b>	Food and beverage retailing <input type="checkbox"/> mobile beverage vendors <input type="checkbox"/> mobile coffee vendors <input type="checkbox"/> mobile food vendors <input type="checkbox"/> street food Fitness and recreation <input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people <input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi <input type="checkbox"/> fitness trainers e.g. box fit, boot camps <input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> bike hire Entertainment / Other <input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2 Tourism based activities <input type="checkbox"/> Indigenous and cultural tours <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours
<b>5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?</b>	Yes subject to: <input type="checkbox"/> the total number of proposed uses are limited to two (2) <input type="checkbox"/> a small footprint - the use does not exceed 30m2 <input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park <input type="checkbox"/> Food and beverage uses located in the south eastern portion of the park more than 200m from the neighbourhood centre zone.



6.29 WILLIAM STEWART PARK	
<b>3. EXISTING TENURE OF THE SUBJECT LAND</b>	
TRUST LAND DESCRIPTION	Reserve for Park and Recreation purposes - R5209
LOT/PLAN	2 RP209639 and 2 RP212526
PARISH/COUNTY	Cleveland/ County unknown
LOCALITY	Thornlands
LOCAL GOVERNMENT	Redland City
AREA OF LAND	4.92ha
CONDITIONS OF TENURE	Unknown
<b>4. EXISTING USES</b>	
4.1 EXISTING USES - PRIMARY AND SECONDARY	The site is primarily used for recreation with a secondary use of sport. It includes a range of supporting facilities including sports oval, skate park, playground, picnic facilities, barbecues, physical activity stations, walking paths, basketball half court, and multi-purpose goal posts.
4.2 EXISTING INTERESTS	Easements and Encumbrances - Nil Administrative Advice - Nil
4.3 NATIVE TITLE STATUS	Not identified
<b>5. PROPOSED USES OF THE SUBJECT LAND</b>	
5.1 PROPOSED USES OF THE SUBJECT LAND	<p>Food and beverage retailing</p> <p><input type="checkbox"/> mobile beverage vendors</p> <p><input type="checkbox"/> mobile coffee vendors</p> <p><input type="checkbox"/> mobile food vendors</p> <p><input type="checkbox"/> street food</p> <p>Fitness and recreation</p> <p><input type="checkbox"/> personal trainers and sports coaches instructing more than 5 people</p> <p><input type="checkbox"/> health and wellbeing e.g. yoga, Tai chi</p> <p><input type="checkbox"/> fitness trainers e.g. box fit, boot camps</p> <p><input type="checkbox"/> commercial coaching programs e.g. surf school, commercial triathlon/cycle</p> <p><input type="checkbox"/> bike hire</p> <p>Entertainment/ Other</p> <p><input type="checkbox"/> children's petting zoo (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> jumping castles (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> markets (not exceeding a frequency of one / month)</p> <p><input type="checkbox"/> open air cinema (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> wedding ceremonies (not exceeding a frequency of two / week)</p> <p><input type="checkbox"/> small scale entertainment uses e.g. busking, face painting, magicians and entertainers of children's birthday parties not exceed 30m2</p> <p>Tourism based activities</p> <p><input type="checkbox"/> Indigenous and cultural tours</p>
5.2 IS THE PROPOSED USE CONSISTENT WITH THE PRIMARY USE OF THE TRUST LAND?	<p>Yes subject to:</p> <p><input type="checkbox"/> the total number of proposed uses are limited to two (2)</p> <p><input type="checkbox"/> a small footprint – the use does not exceed 30m2</p> <p><input type="checkbox"/> the use is sited and located to maintain public access to, use and enjoyment of the park</p>

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## 7. COMMUNITY CONSULTATION

### 7.1 DETAILS OF CONSULTATION UNDERTAKEN

Community consultation included:

#### Council website

An overview and copy of the draft LMP on Council's consultation website, <https://yoursay.redland.qld.gov.au/temporary-commercial-use-of-parks-and-open-spaces1>. The website detailed the purpose of the draft LMP and where to make a submission including the following supporting information:

- ☐ interactive mapping with pins showing the location of the park, reserve purpose and proposed secondary uses for each park
- ☐ survey requesting general feedback and comments on specific parks
- ☐ FAQ's outlining exclusion zones, approval processes
- ☐ Fact Sheet No. 1 (General Information) outlining insurances, approval processes and broad types and categories of temporary commercial activities
- ☐ Fact Sheet No.2 (Eligibility and Assessment Criteria) providing details on key definitions, eligibility and assessment criteria
- ☐ Maps and diagrams showing buffers and exclusion zones and guidance on the siting and location of temporary commercial activity within the park
- ☐ Lifecycle of project.

#### Local Marketing activities

Local marketing activities targeting neighbours and park users including installation of signs in each park inviting community feedback, where to view the draft LMP and time frame for the consultation period.

#### Newspaper advertisements

Newspaper advertisements 'quarter page' within the Redland City Bulletin on 11/11/20 and 18/11/20 inviting community feedback, where to view the draft LMP and time frame for consultation period.

#### Displays in Customer Service Centres

Hard copies of the draft LMP was placed on display at Council's customer service centres at Cleveland, Capalaba and Victoria Point customer service centres for public review and comment.

#### Social Media

Media release and facebook posts promoting awareness of draft LMP with a link to Your Say Redlands Coast webpage.

Council received 94 submissions from the community in relation to the draft. Council and the consultant have reviewed the submissions for inclusion in the final Land Management Plan. A summary of the issues identified by the community and how the issues have influenced the Land Management Plan are outlined below.

A submission review report was placed on the Your Say Redlands Coast Webpage and demonstrated how community and stakeholder feedback had been considered in finalizing the draft LMP.

## 7.2 ISSUES IDENTIFIED

A summary of the issues identified by the community have been summarised into themes in the following table.

Environmental/heritage values	Themes identified			
	Amenity/park usability	Supporting infrastructure	Park purpose/functionality	Other
Local heritage values	Safety	Noise impacts	Exclusive use	Community consultation
Environmental values	Light and sound	Parking and traffic generation	Number of temporary commercial activities per park	Impacts on local businesses
Impact on shorebirds	Residential amenity	Lack of parking	Conflict with planning intentions	Risk assessment
Koala habitat	Park capacity / Adequate space	Kayak launch area (pontoon)	Sufficient recreational activities	Request for a 5 year approval
Noise impacts – wader bird habitat	Litter	Insufficient infrastructure	Proposed functional change	Fees for approval
Water based activities – wader bird habitat	Proximity to residents	Tidal access (non-motorised watercraft)	Purpose of the reserve	Exclusion of not-for-profit
	Hours of operation	Permanent fixtures	Vehicle access on sports oval	Businesses becoming permanent
	Over –use / Overcrowded	Additional infrastructure (power)	Maximum number of secondary uses	Complaints process / Compliance
	Displacing current park activities	Bikes and scooters	Parks excluded from the Land Management Plan	EOI process
	Lack of grass areas	Insufficient public transport	Tourist activities	Selection of appropriate business
	Leisure activities already catered for	Pressure on existing services	Food and beverage retailing	Workplace health and safety
	Peace and quite	Current issues – (park upgrades)	Leases / license to occupy	Support for temporary commercial activities
	Use and enjoyment			

In addition to the issues raised in the table above, there were a number of submissions that provided support for the proposal.

### 7.3 HOW THE ISSUES INFLUENCED THE LAND MANAGEMENT PLAN

Upon review of the community submissions, two sites initially identified for inclusion in the draft Land Management Plan have been removed from the Plan.

Additionally, a number of sites have had the proposed uses reduced, as well as the number of allowable secondary uses reduced.

### 7.4 WHAT ACTIONS HAVE BEEN TAKEN AS A RESULT

The direct actions that have been taken as a result of the outcomes of the consultation are as follows:

Site	Action taken
Coochiemudlo Foreshore West	This site has been removed from the Land Management Plan and is subsequently not considered for temporary commercial activity.
Coochiemudlo Foreshore East	The state reserve has been amended to allow only one (1) secondary use, facilitating the continuation of the existing boat hire business only.
Cleveland Point Recreation Reserve	This state reserve has been removed from the Land Management Plan and is subsequently not considered for temporary commercial activity.
GJ Walter Park	A number of proposed temporary uses have been removed for the park, including: <input type="checkbox"/> commercial coaching programs (water-based activities) <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours
Oyster Point Park	A number of proposed temporary uses have been removed for the park, including: <input type="checkbox"/> commercial coaching programs (water-based activities) <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours
WH Yeo Park	A number of proposed temporary uses have been removed for the park, including: <input type="checkbox"/> commercial coaching programs (water-based activities) <input type="checkbox"/> hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing <input type="checkbox"/> fishing charters <input type="checkbox"/> canoe and kayak tours
Council's fact sheet	The following assessment criteria has been added to Council's fact sheet under 'Use - General': <input type="checkbox"/> Applicants and approval holders must ensure that the secondary use generally avoids vehicles being parked on sports ovals unless existing leaseholders provide their written agreement
Council's fact sheet	Council's fact sheets have been amended as follows: <input type="checkbox"/> the definition of 'temporary commercial activities' has been amended to include charities and not-for-profits <input type="checkbox"/> the maximum designated area for small scale entertainment uses has been amended to 30m <sup>2</sup> . <input type="checkbox"/> commercial promotion has been removed from the fact sheet as well as from all proposed secondary uses.

## 8. SUMMARY AND RECOMMENDATIONS

Redland City Council, with assistance from the Department of Resources will exercise their role as trustee in line with the requirements of the *Land Act 1994* and the Operational Policy - Secondary Use of Trust Land under the Land Act.

Council will be responsible for ensuring that all local, state and federal government legislative requirements affecting the trust land are met.

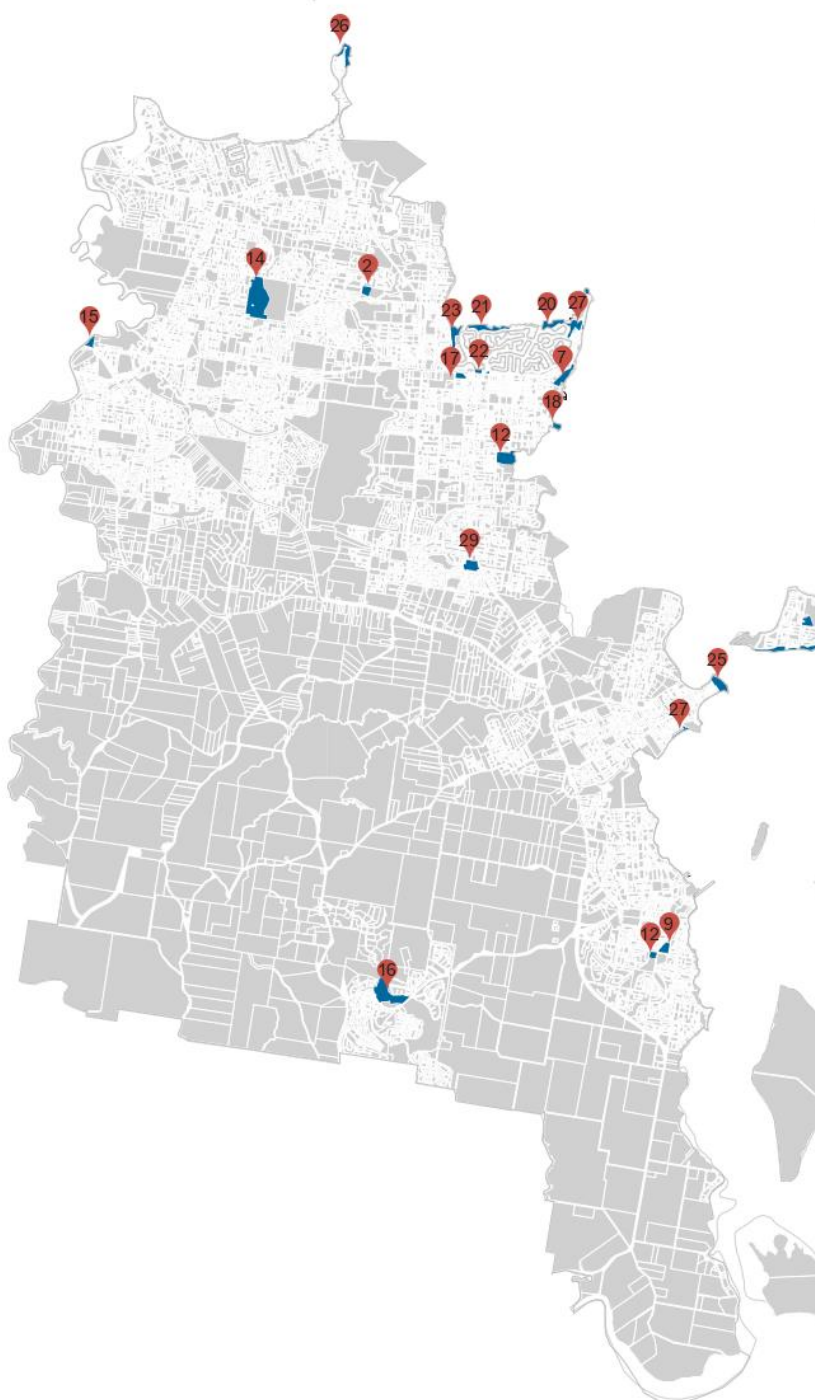
APPENDIX A - LOCALITY MAPS  
REDLAND CITY AND SUBURBS





## MAINLAND SITES

28	Wellington Point Recreation Reserve
15	John Frederick Park
14	Judy Holt Recreation Reserve
2	Apex Park
23	Raby Esplanade Park
21	Raby Bay Foreshore Park
20	Raby Bay Boulevard Park
22	Raby Bay Harbour Park
17	Norfolk Park
25	Shore Street North Foreshore
7	G J Walter Park
18	Oyster Point Park
12	Henry Ziegenfusz Park
29	William Stewart Park
26	Victoria Point Recreation Reserve
27	W H Yeo Park
16	Mount Cotton Community Park
9	Fielding Park
12	John Edward Downie Sportsfield



## ISLAND SITES

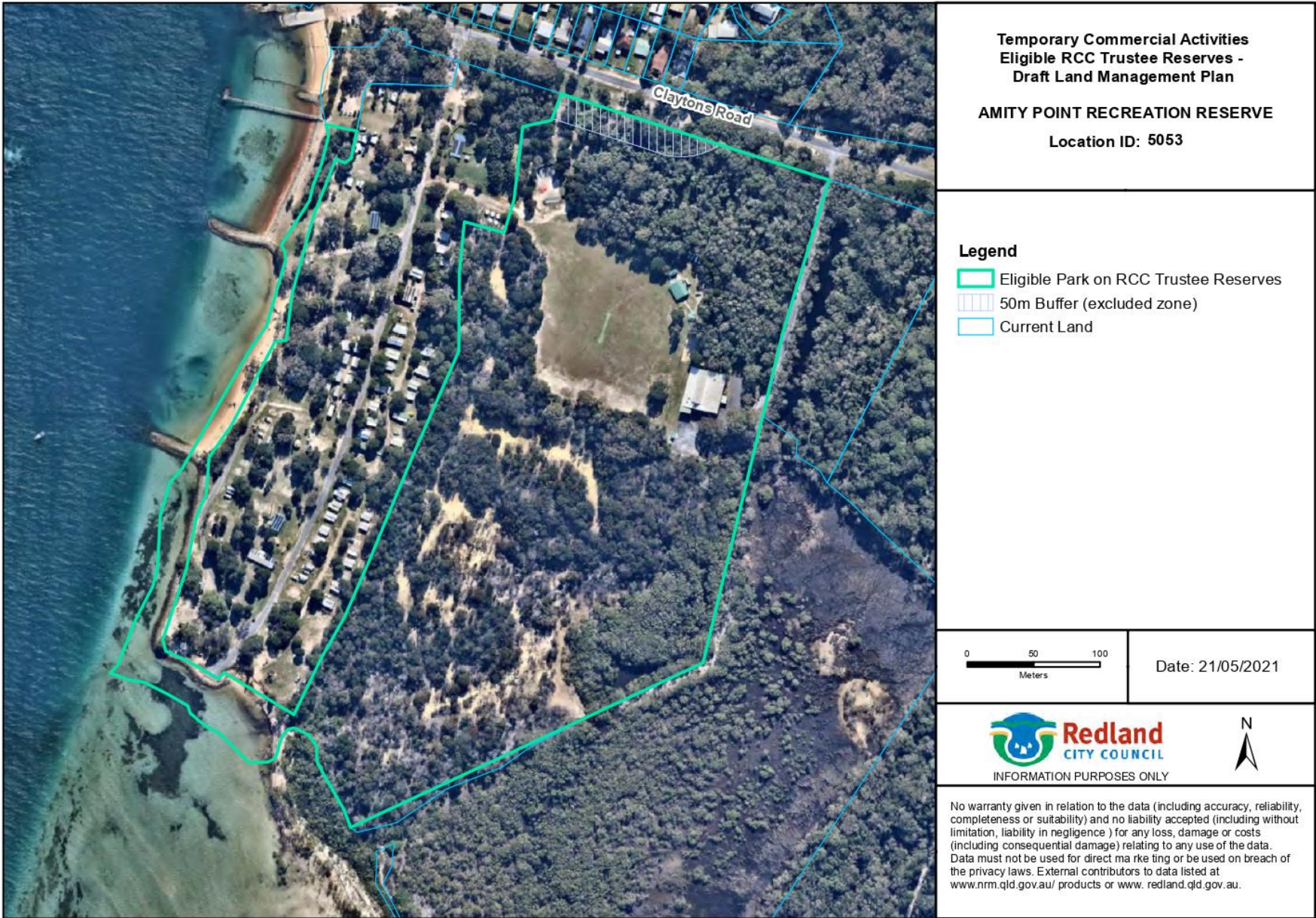
## LEGEND

Ref	Site name
1	Amity Point Recreation Reserve
19	Point Lookout Oval
4	Cylinder Beach Foreshore
8	Headland Park
24	Ron Stark Oval
15	Laurie Burns Recreation Reserve
3	Coochiemudlo Foreshore (East)
11	Jock Kennedy Park
10	Jackson Oval

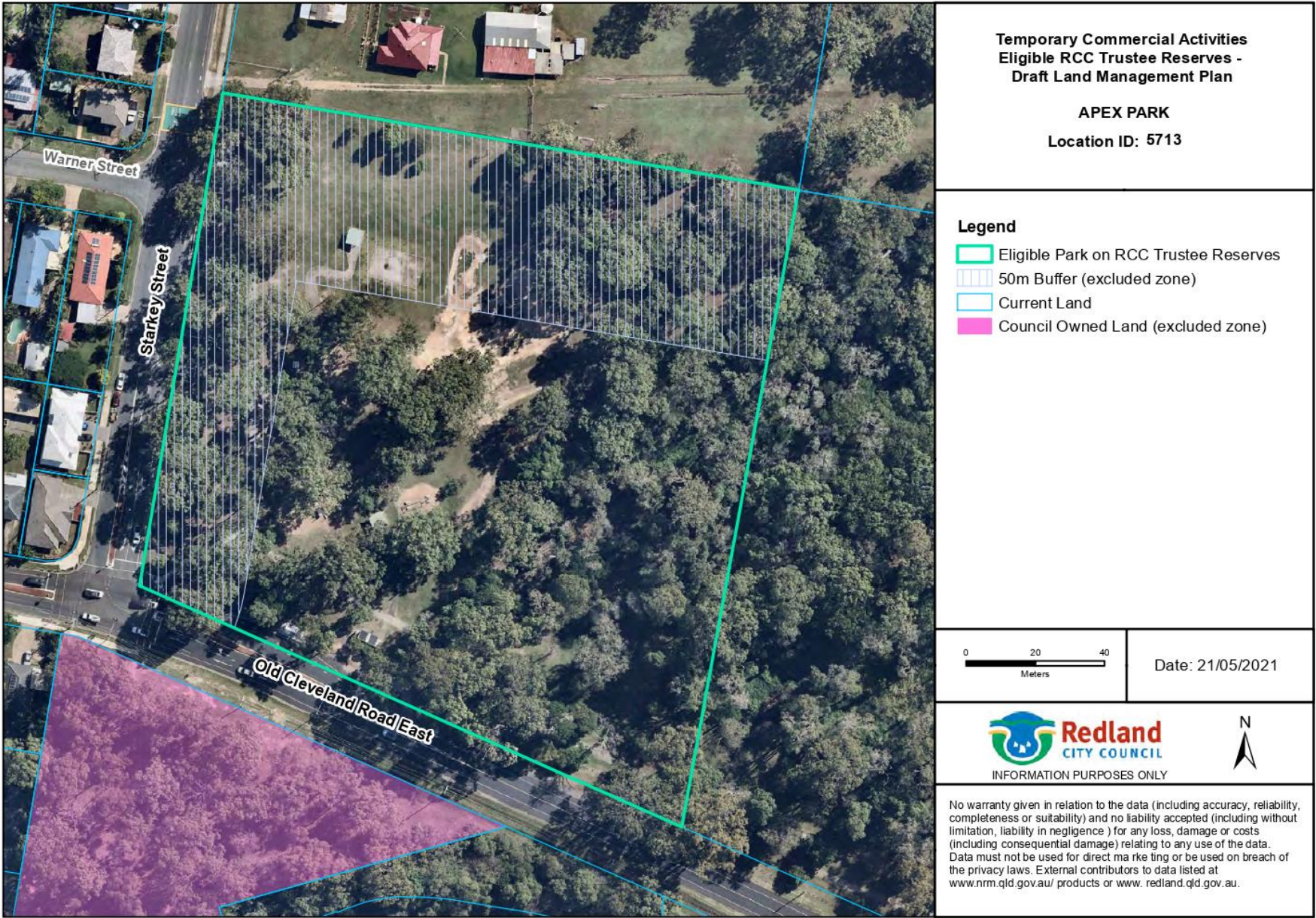


APPENDIX B - AERIAL PHOTOS SHOWING LOCATION OF TRUST LAND AND SURROUNDING PARCELS

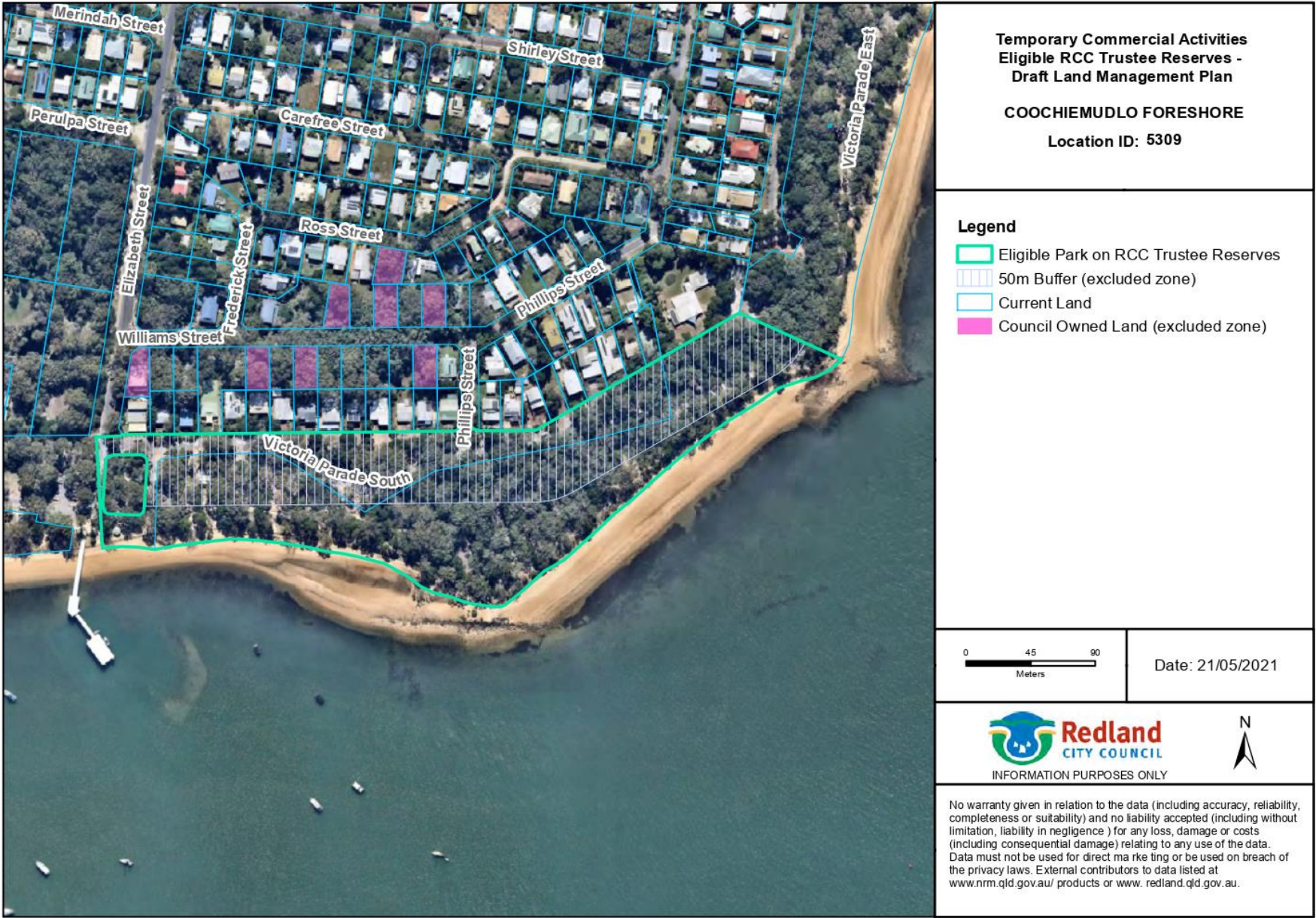




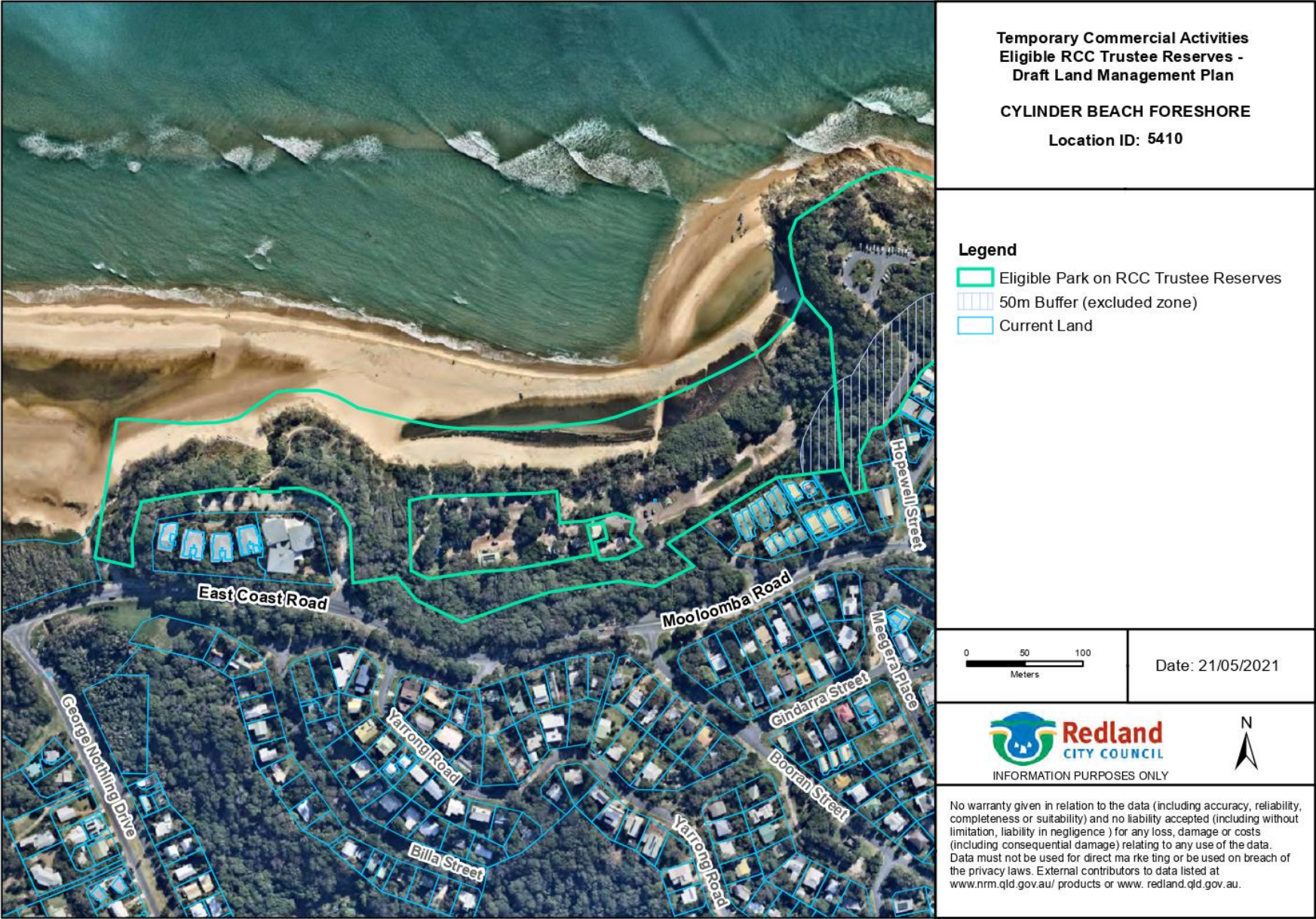




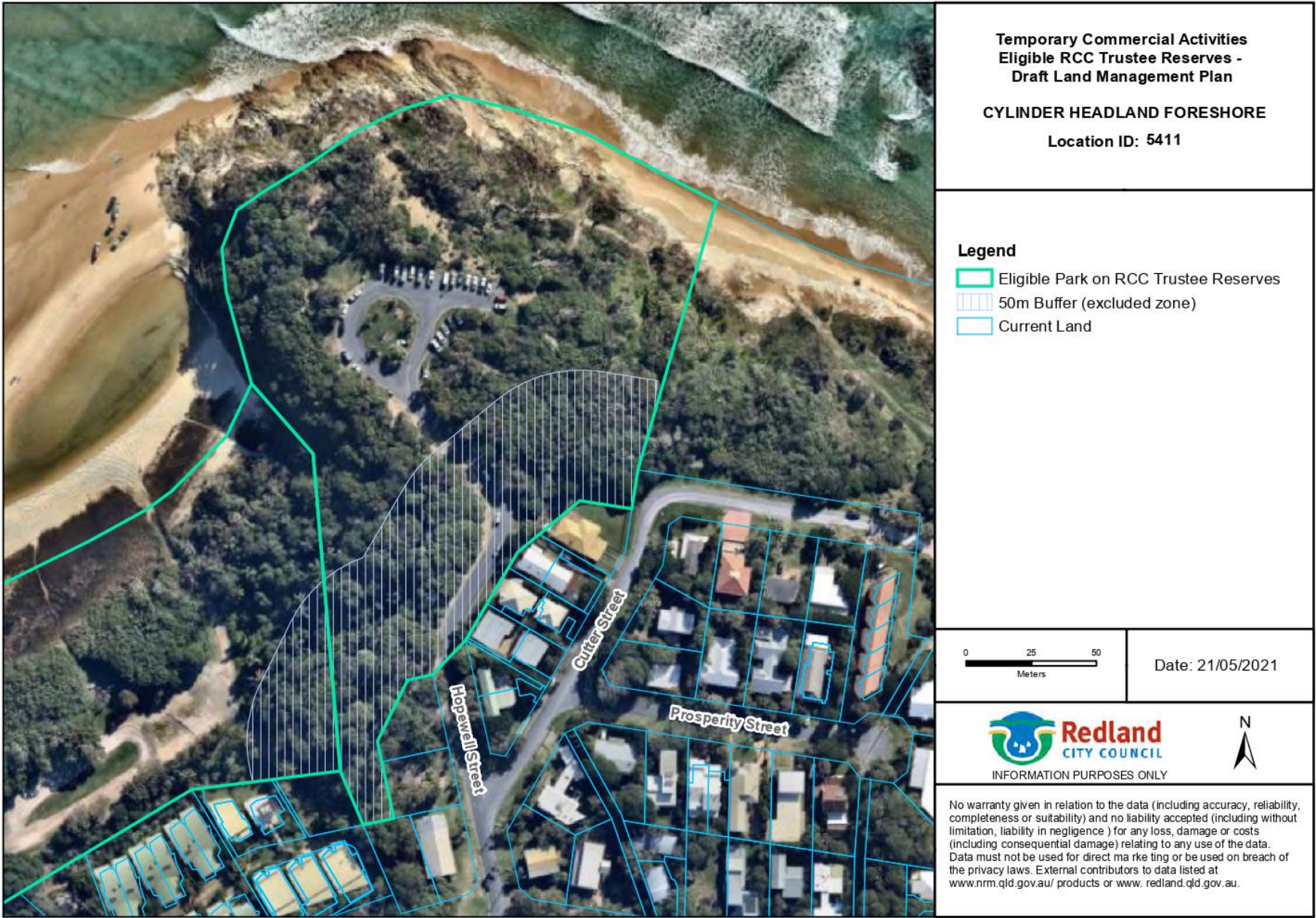
















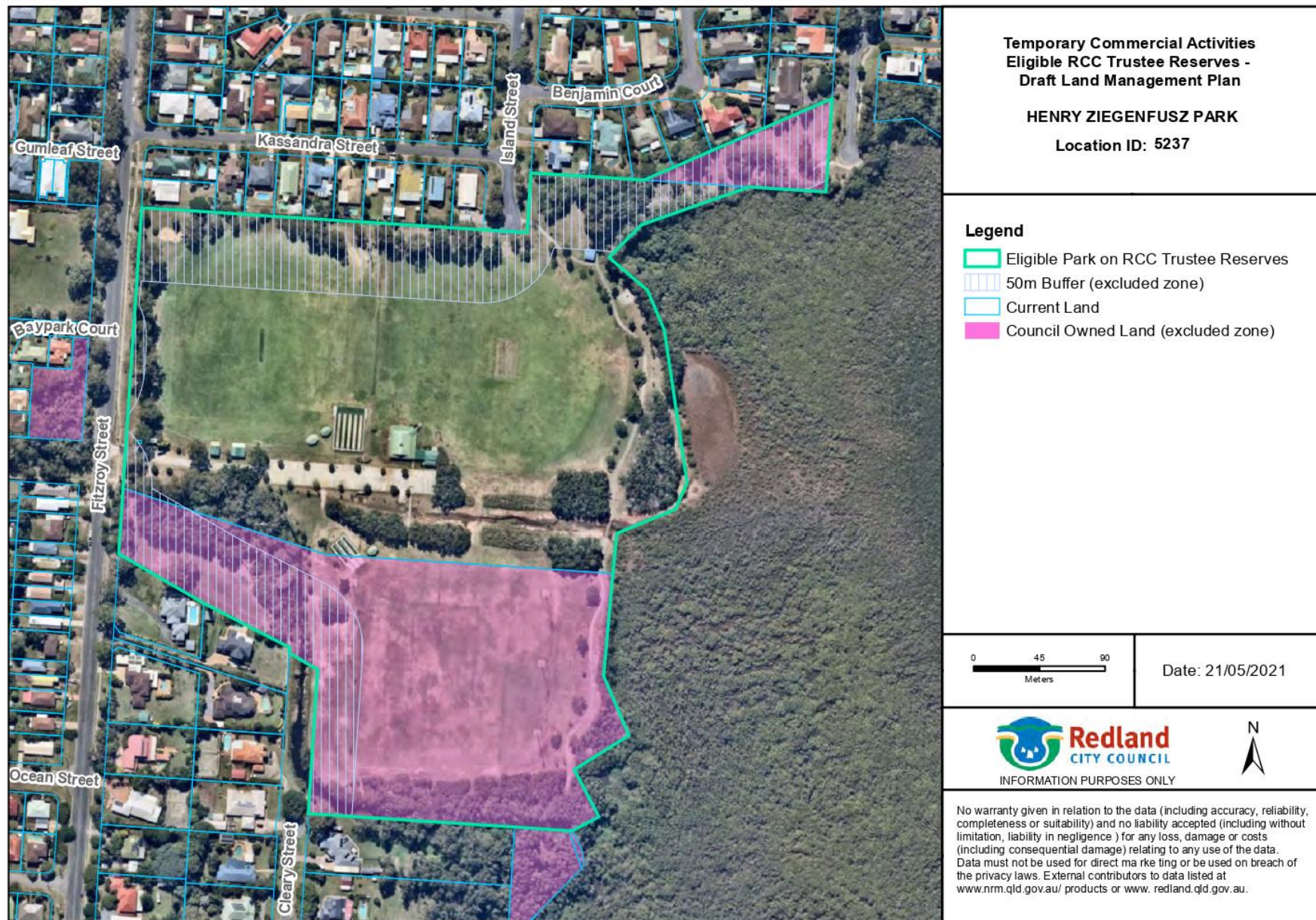




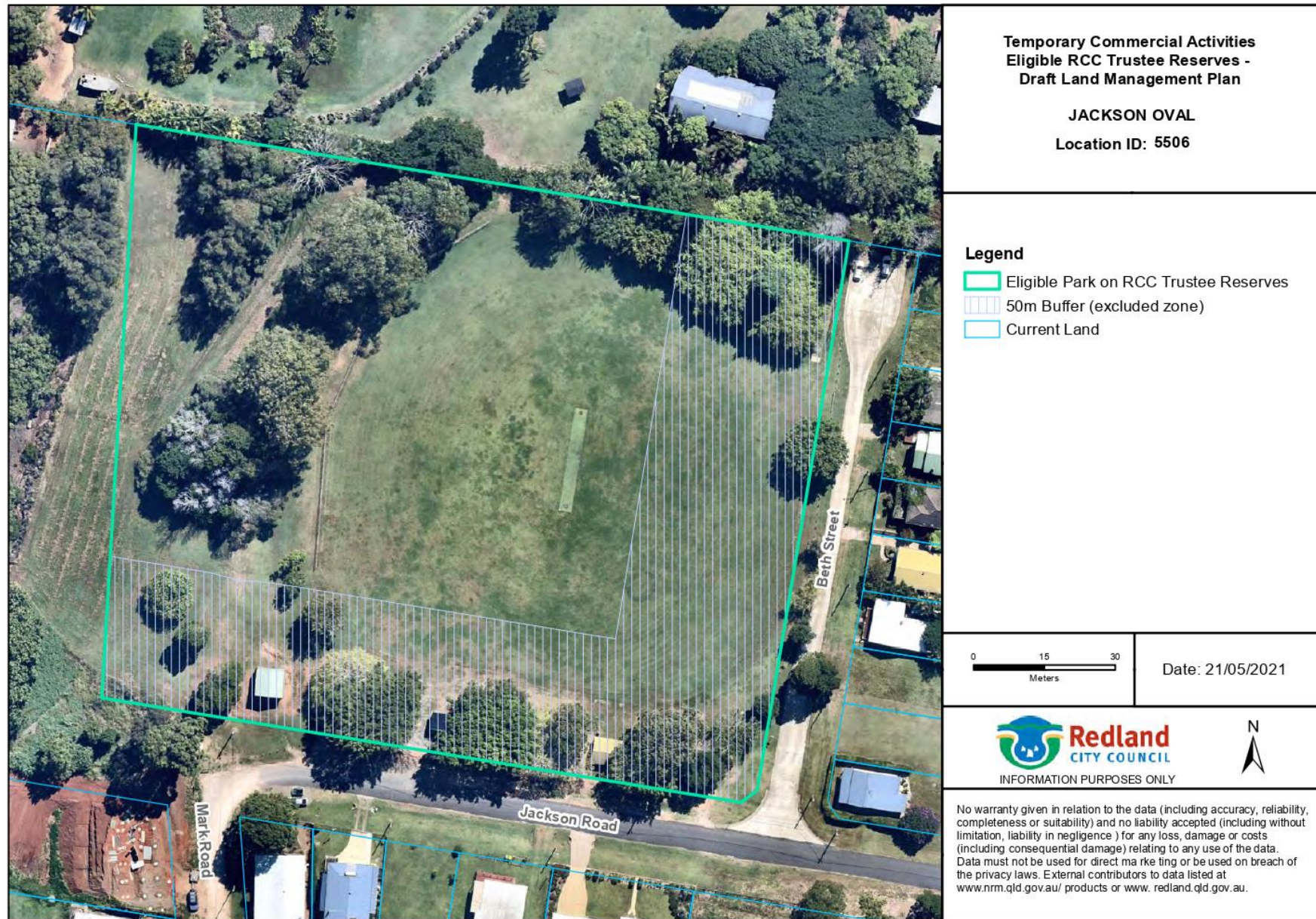




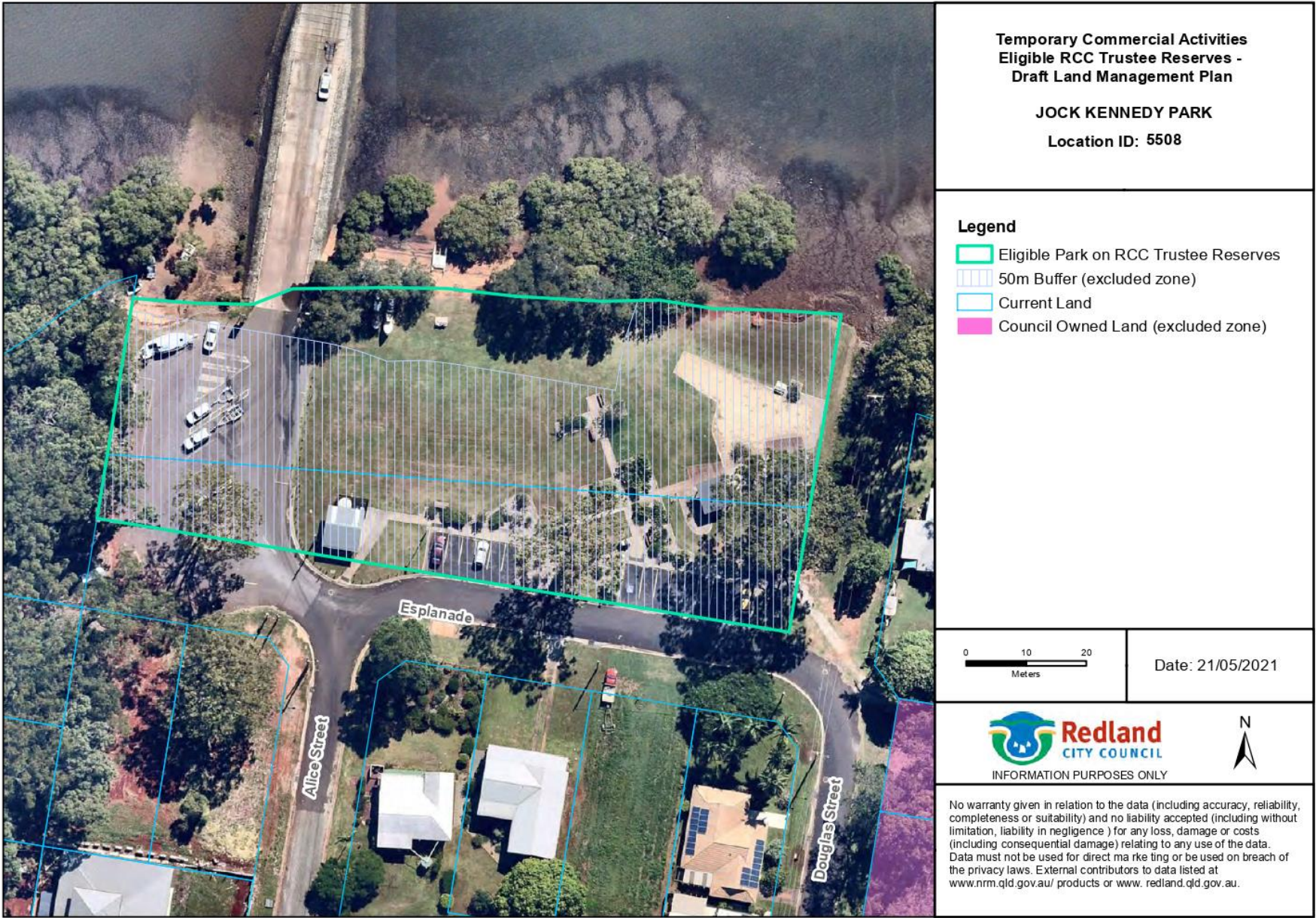








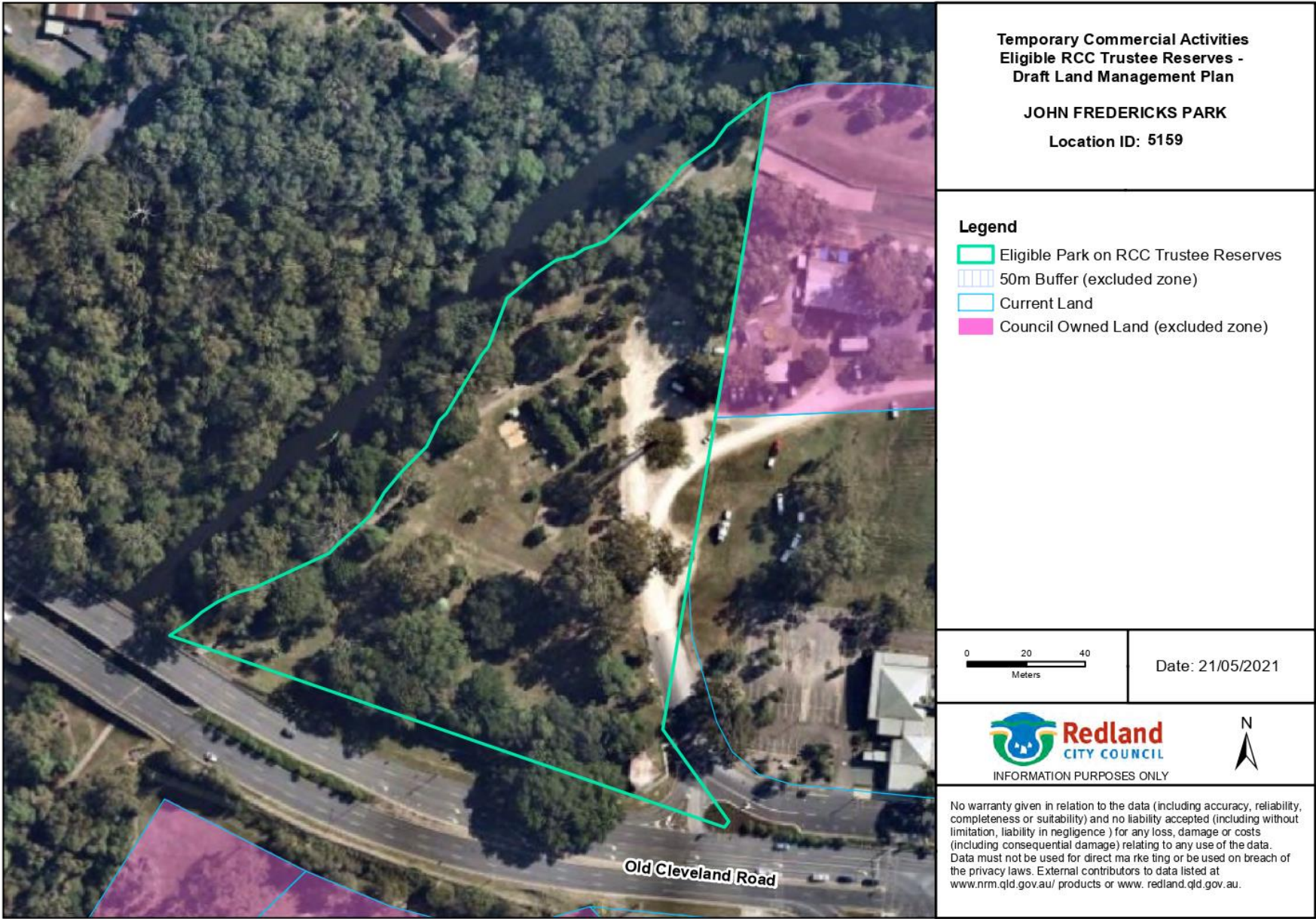




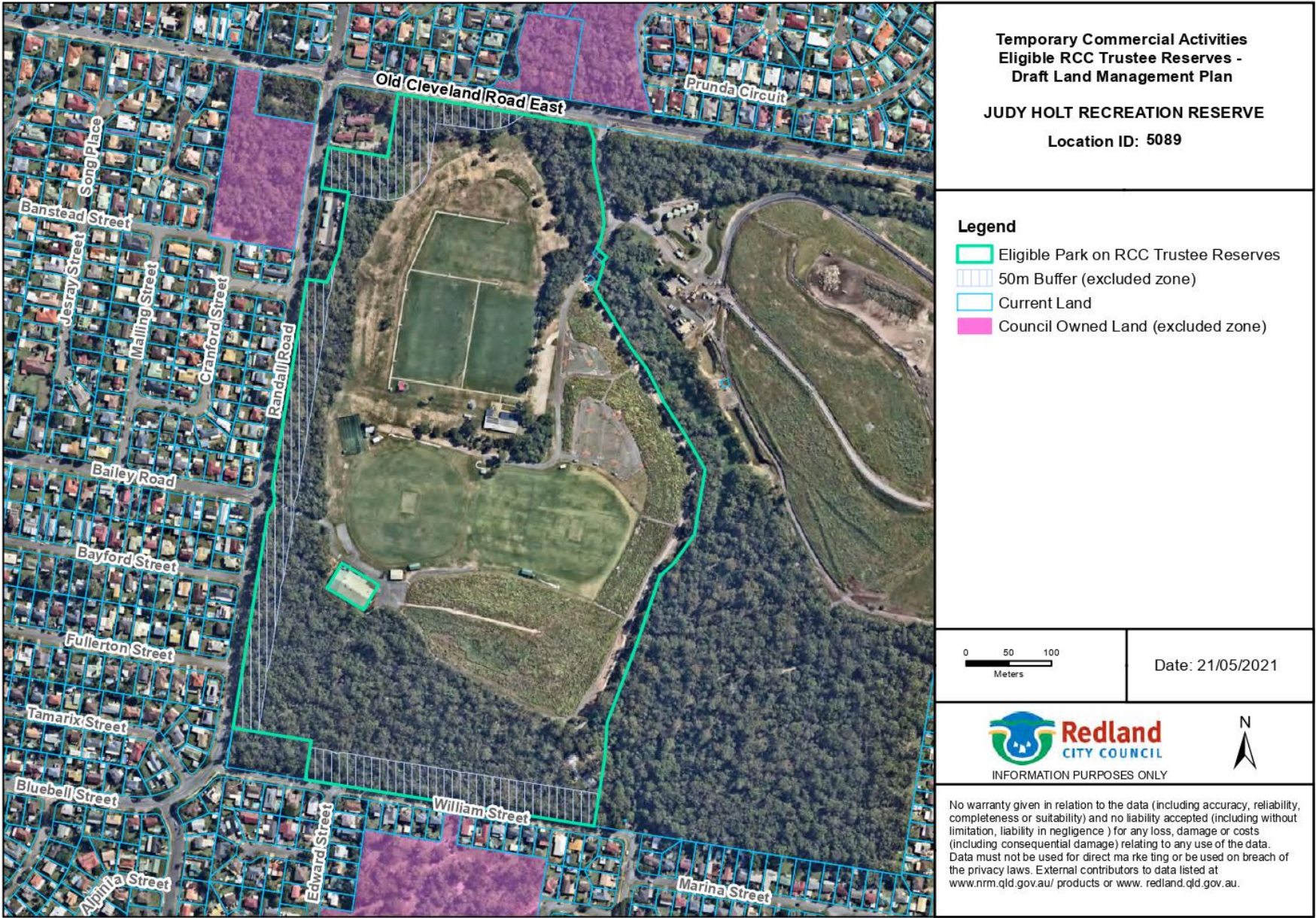




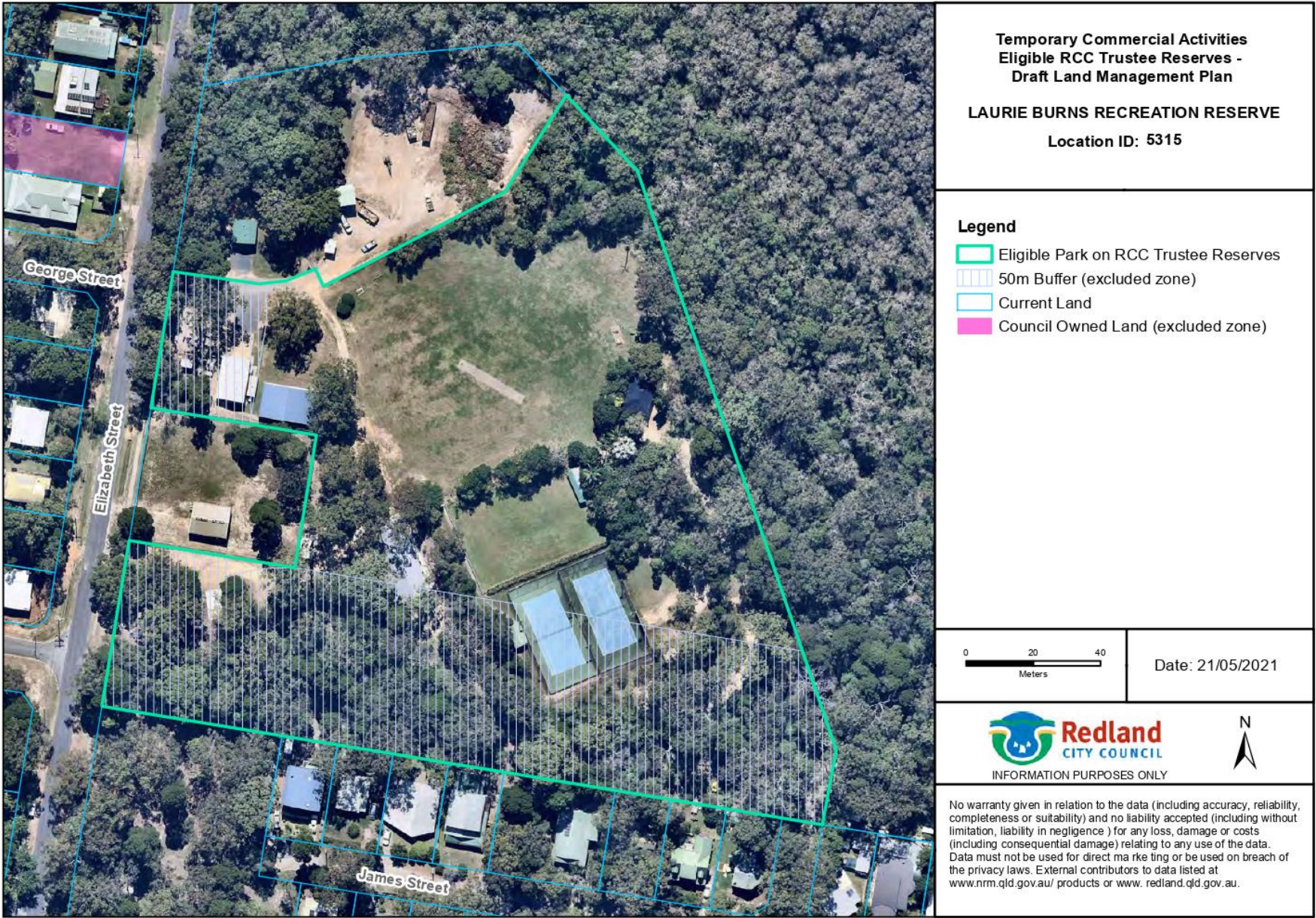




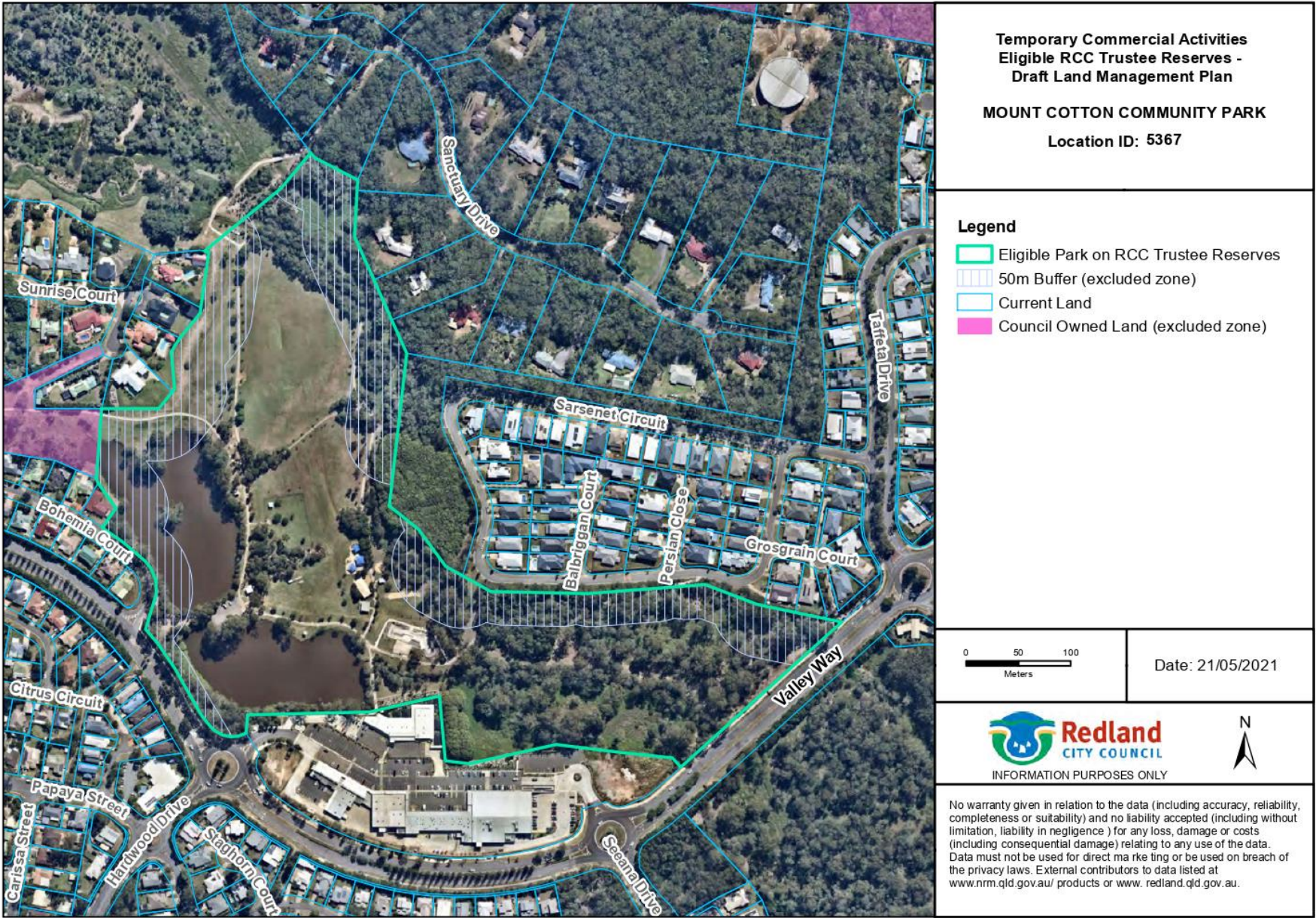








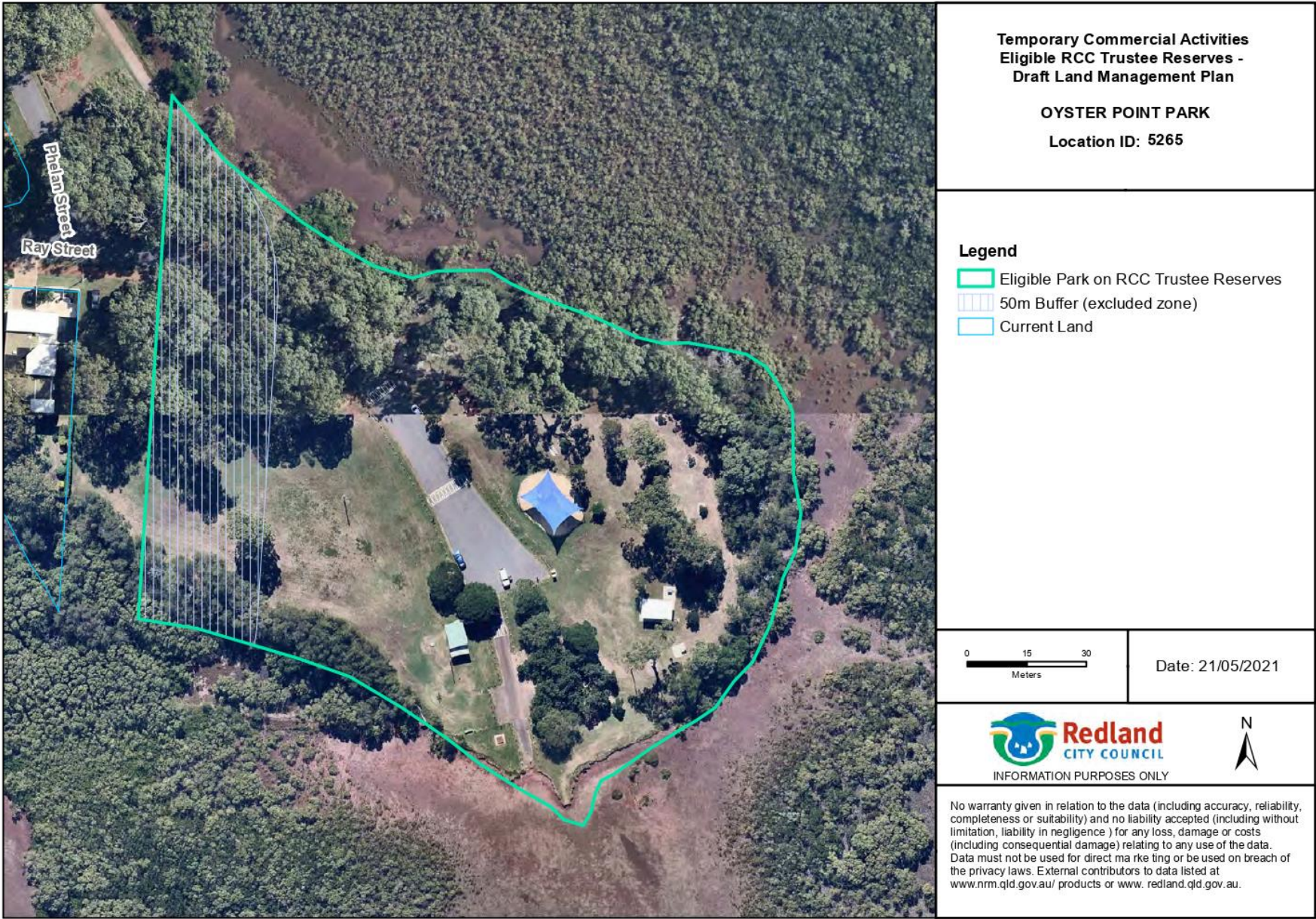




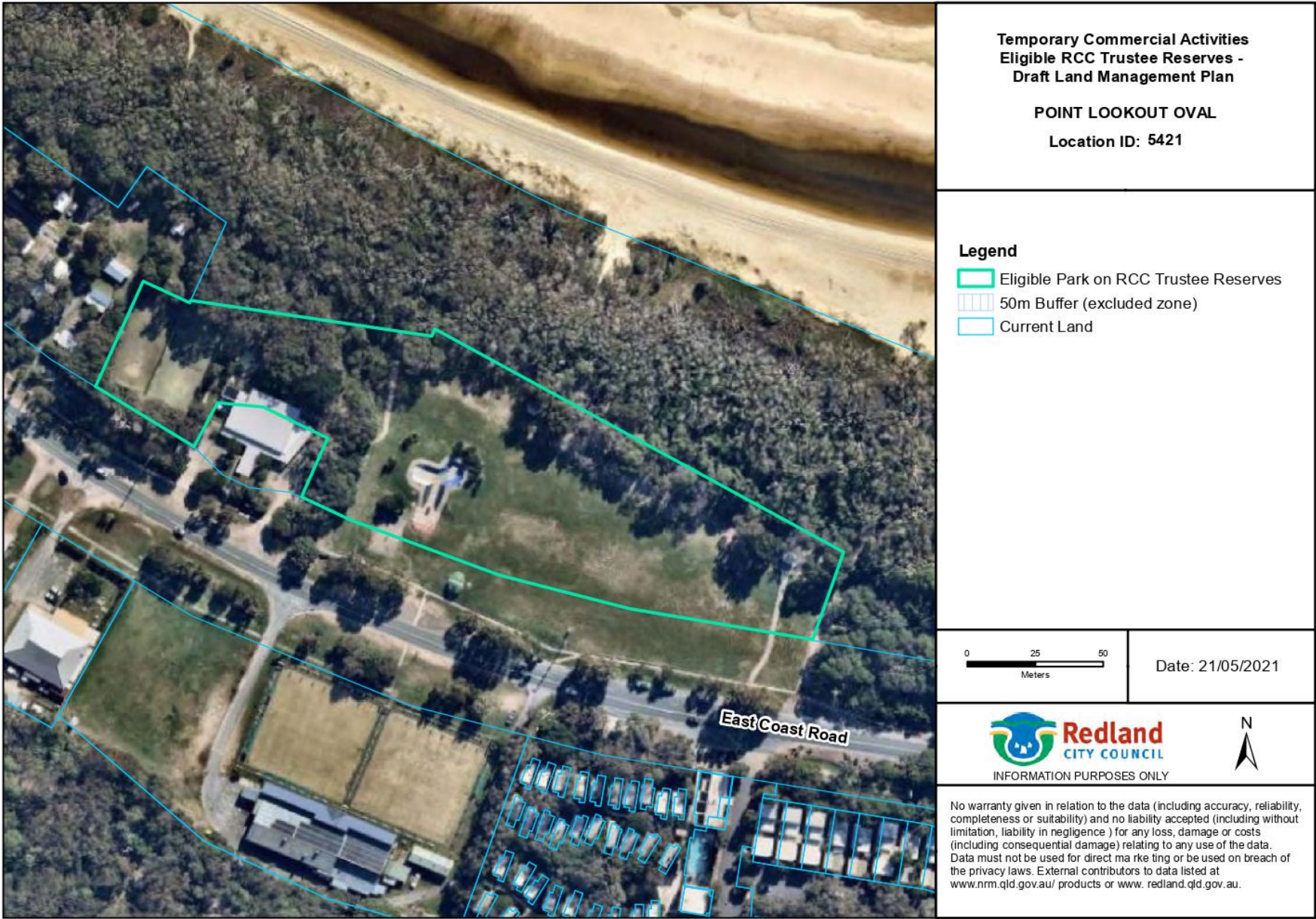












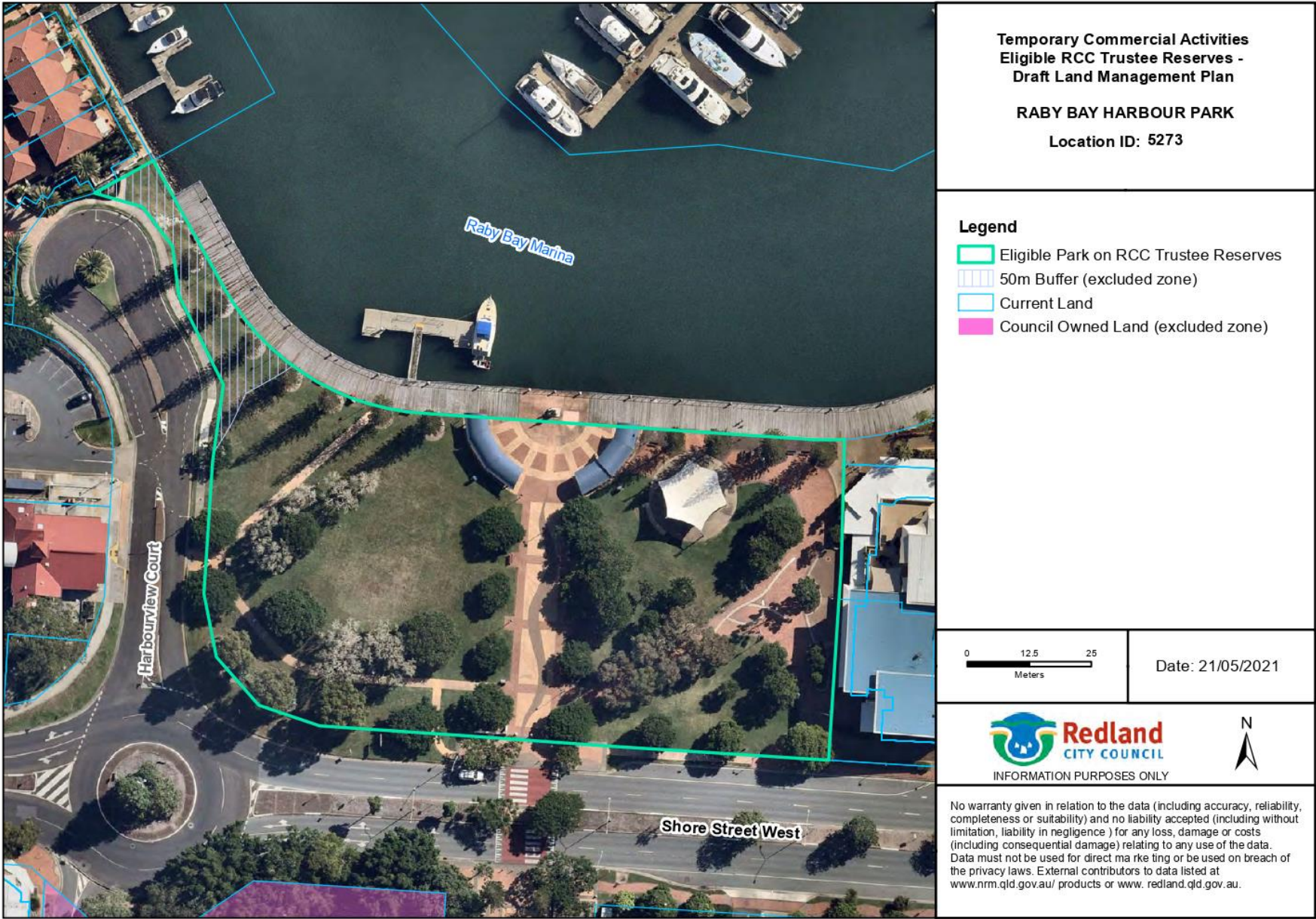




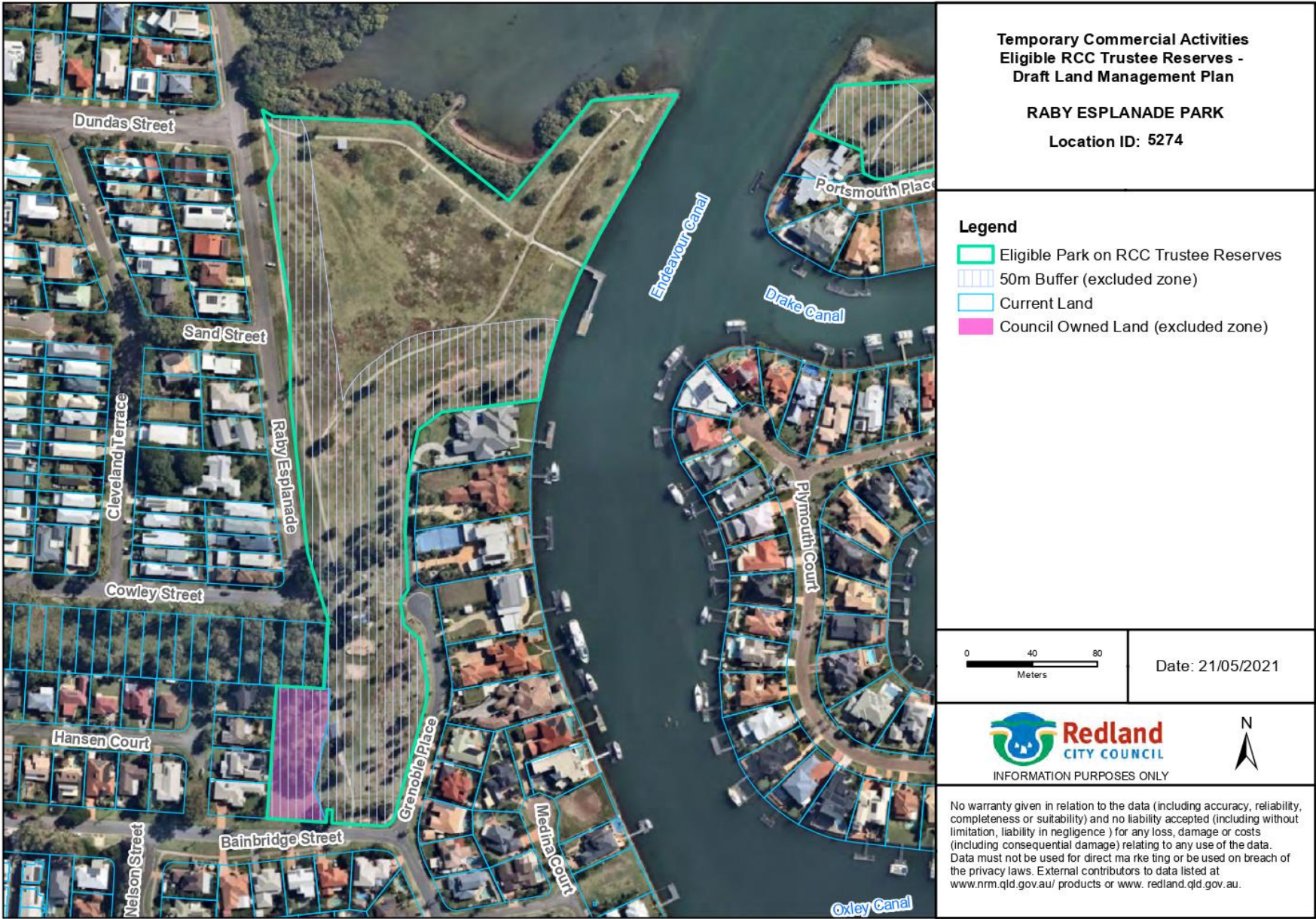








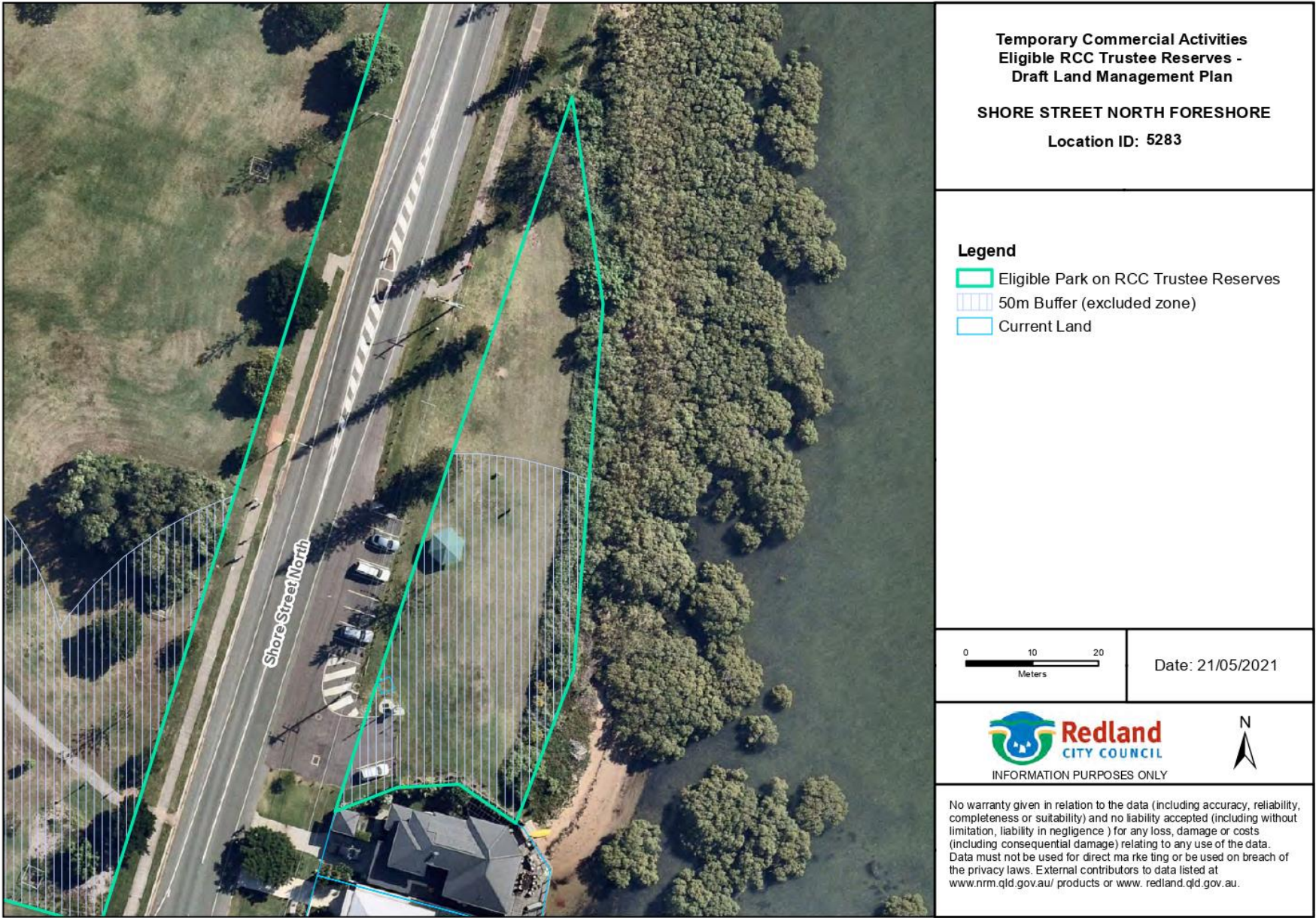




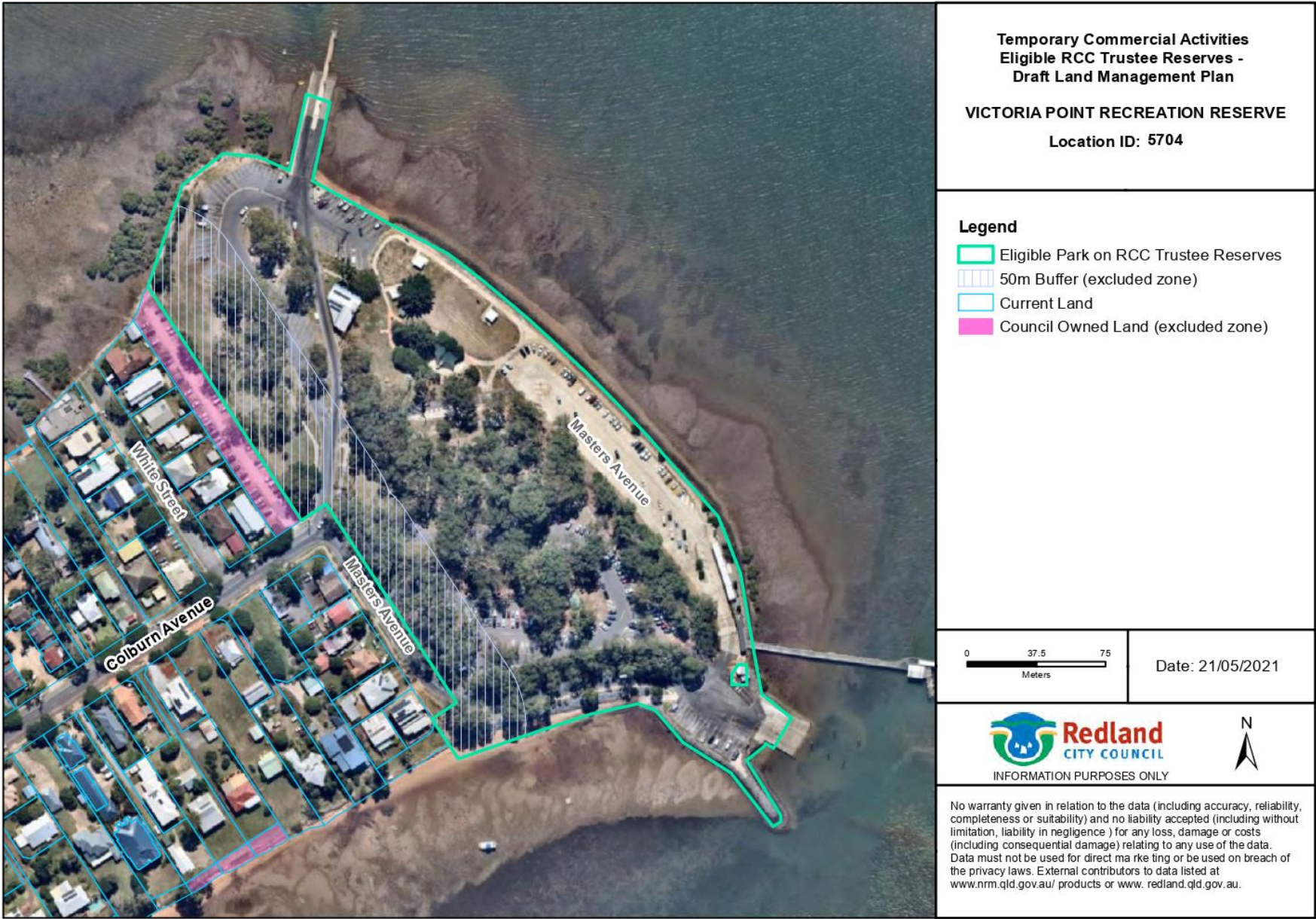




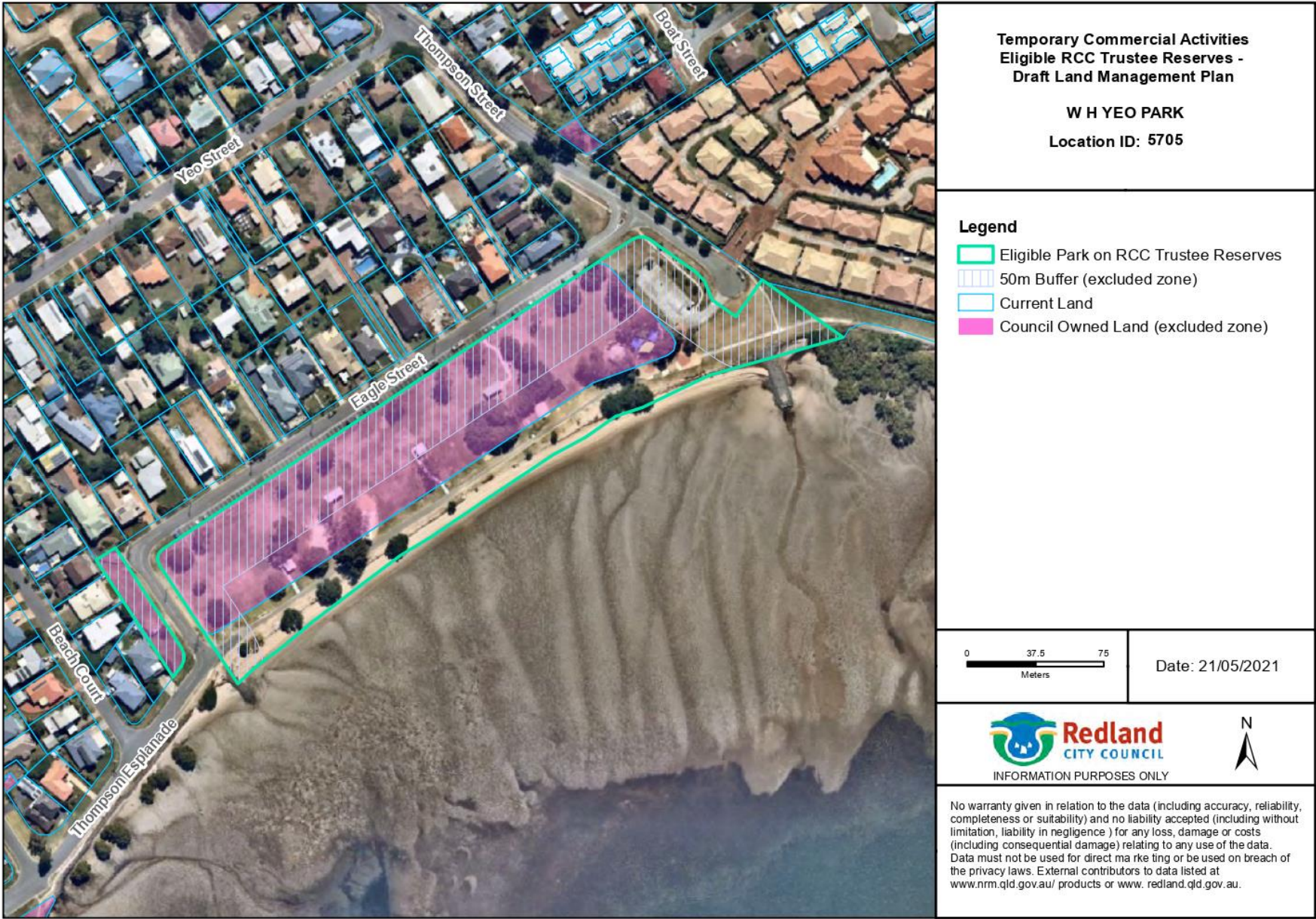




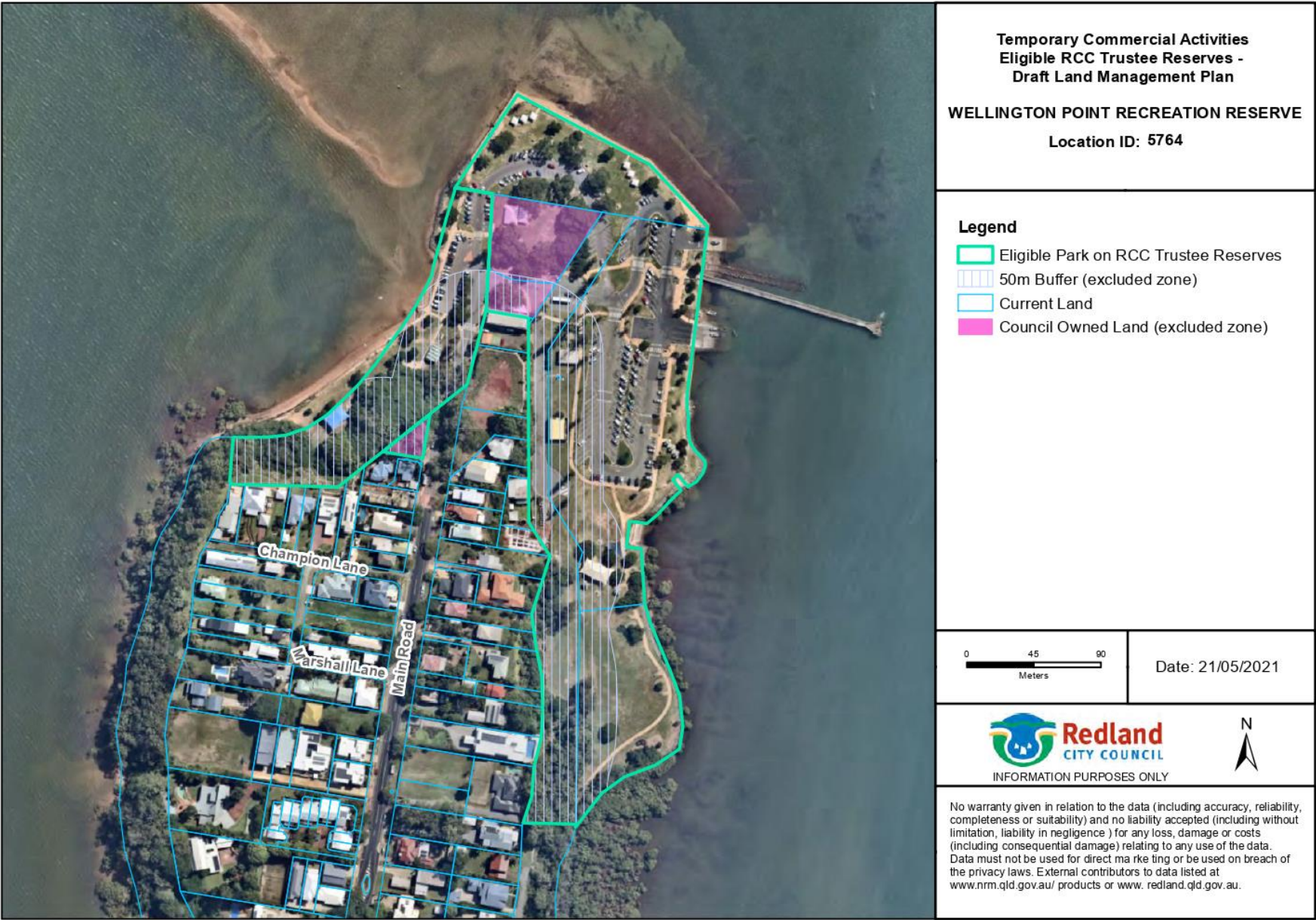
















Compliance with the statutory and policy requirements.

A Land Management Plan (LMP) is required to demonstrate compliance with the following principles espoused within section 42 and 60 of the *Land Act, 1994*:

- S42(2) *Fulfilling duty of care* – all trustees have a duty of care for land held in their trust and this extends to the impacts of land use on state reserves; and
- S60 *Trustee permits*– trustee permits must not be inconsistent with the community purpose of the trust land.

The draft LMP will also assist in demonstrating compliance with the Queensland Government Department of Resources (DoR) *Operational Policy: Secondary use of Trust land under the Land Act SLM/2013/493 Version 6.01*. In particular, the draft LMP provides justification that the proposed temporary commercial activities:

- are of a type and scale that are consistent with the purpose of the reserve;
- do not overpower or dominate the Trust land;
- are not substantially exclusive or commercial in nature; and
- that the community have been consulted in relation to the uses proposed for the reserve.

## SUBMISSION REVIEW REPORT

Submission #	Theme	Issue raised	Response	Recommendation
01	Local heritage values Environmental values Noise impacts Light and sound Adequate space Residential amenity Lack of parking Safety Other	<p>The submission is focused on Coochiemudlo Foreshore (East), Coochiemudlo Foreshore (West), and Laurie Burns Recreation Reserve.</p> <p>The submission acknowledges the possible community benefits and financial benefit for Council of the proposal, however raises a number of concerns. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the heritage listing and conservation status of “The Emerald Fringe”</li> <li><input type="checkbox"/> the need for light, noise and sound management plans to demonstrate compliance with the noise requirements of the Environmental Protection Act</li> <li><input type="checkbox"/> the lack of land above the high tide mark for proposed activities</li> <li><input type="checkbox"/> the proximity of activities to residents and the need for sound management</li> <li><input type="checkbox"/> the capacity of existing toilet facilities to cope with additional use</li> <li><input type="checkbox"/> car parking is already at a premium, as well as need to fit in around the barge timetable</li> <li><input type="checkbox"/> the need to keep potential bike, canoe/ kayak hire users safe in a high vehicle and boat traffic areas</li> <li><input type="checkbox"/> the proposed activities have been tried before with little success.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b></p> <p>The environmental and heritage values of the Coochiemudlo Foreshore East and West, as well as limited cleared areas make it difficult to accommodate temporary commercial activities. It is noted that both parks are identified as a local heritage place known as the “Emerald Fringe” with significant historic, aesthetic and environmental values.</p> <p>Both parks are highly contestable spaces in relation to existing activities e.g. ferry terminal, boat ramp, dog off leash area, general picnicking, Sunday markets, boating and bathing activities. Having regard to current activities there are limited spaces available outside of the 50m buffer to residential properties, 10m setback to playground and park infrastructure, drip line of existing trees, and land above high water mark (sandy beach). These constraints would generally preclude additional temporary commercial activities over and above the existing Coochie Boat Hire business which (prior to Covid_19) included non-motorised water craft and bike hire. If the existing boat hire business discontinued the bike and water craft hire component these activities could potentially be taken up by an additional commercial vendor.</p> <p><b>Laurie Burns Recreation Reserve</b></p> <ul style="list-style-type: none"> <li>• With large cleared areas the reserve has capacity to accommodate up to three temporary commercial activities including entertainment activities likely to exceed a small footprint of 30sqm (e.g. markets, open air cinemas) that are limited in frequency. Noise and other impacts on nearby residents can be managed by ensuring commercial vendors: <ul style="list-style-type: none"> <li>• are located at least 50m from residential lot boundaries</li> <li>• are generally limited to the hours of 7am - 7pm Monday to Sunday and 8am – 7pm on Sunday and public holidays</li> <li>• minimise adverse impacts through noise, odour, air, waste or light emissions</li> <li>• avoid use of audio equipment, amplified music, excessively loud voice calls or instructions</li> <li>• minimise excessive noise through the use of equipment</li> <li>• limit regulated devices (e.g. compressors, generators) to hours that comply with <i>Queensland’s Environmental Protection Act, 1994</i></li> </ul> </li> </ul> <p>These requirements are included on Council’s fact sheets and supported by conditions of approval and can be managed through the application and compliance process.</p>	<p><b>Coochiemudlo Foreshore West</b> Removal of Coochiemudlo Foreshore West Park from the Land Management Plan.</p> <p><b>Coochiemudlo Foreshore East</b> Amend Coochiemudlo Foreshore East Park to allow only one (1) – two (2) secondary uses facilitating the continuation of the existing boat hire business.</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>



Submission #	Theme	Issue raised	Response	Recommendation
002	<p>Tidal access (non-motorised watercraft)</p> <p>Impact on shorebirds</p> <p>businesses becoming permanent</p> <p>limited space</p> <p>Noise</p>	<p>The submission is in relation to Cleveland Point Recreation Reserve and G J Walter Park and does not support the proposal. In summary, there is concern over the existing noise and disruptions by bootcamps. Additionally;</p> <p><input type="checkbox"/> water craft are impractical at G J Walter Park</p> <p><input type="checkbox"/> due to the tidal nature</p> <p><input type="checkbox"/> canoe and kayaking could disturb the birds in the RAMSAR wetlands</p> <p><input type="checkbox"/> there is the temptation to make successful businesses permanent</p> <p><input type="checkbox"/> public open spaces should be kept as they not used for profit</p>	<p><b>Cleveland Point Recreation Reserve</b></p> <p>The state reserve at Cleveland Point has limited spaces available outside of:</p> <ul style="list-style-type: none"> <li>• designated picnic areas</li> <li>• 10m setback to playground and park infrastructure</li> <li>• existing carpark and vehicle movement areas</li> </ul> <p>These constraints make it difficult to accommodate temporary commercial activities at Cleveland Point Recreation Reserve. It is noted that a section of the park that adjoins the state reserve is under Council's ownership (Lot214/C14566 and Lot215/C64) and includes open grassed areas that could be used for one (1) temporary commercial activity excluding food and beverage retailing. As this section of the park is under Council ownership and is not subject to the LMP it will be facilitated through a separate process that applies to Council owned parks.</p> <p><b>G J Walter Park</b></p> <p>Due to the conflicts with shorebird habitat and the practical limitations of high tide access the following water based temporary commercial activities should be excluded from G J Walter Park:</p> <ul style="list-style-type: none"> <li>• commercial coaching programs (water based activities only) e.g. surf school, commercial triathlon</li> <li>• hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</li> <li>• fishing charters, canoe and kayak tours.</li> </ul> <p>It is noted that other land-based commercial coaching programs may be suitable for this site.</p> <p><b>Businesses becoming permanent</b></p> <p>Under the draft LMP there is no ability to allow businesses to become permanent or erect structures that become permanent fixtures. This limitation is included in the definition of 'Temporary commercial activities' which includes the following criteria:</p> <ul style="list-style-type: none"> <li>• non-permanent and limited to temporary structures</li> <li>• secondary and subservient to the open space</li> <li>• non-exclusive</li> <li>• primarily serve existing park users</li> </ul> <p>The relevant Subordinate Local Law 1.2 (Commercial use of local government controlled areas and roads 2015) does not allow an approval to exceed 12 months.</p>	<p><b>Cleveland Point Recreation Reserve</b></p> <p>Removal of Cleveland Point Recreation Reserve from the Land Management Plan</p> <p><b>G J Walter Park</b></p> <p>Removal of the following proposed uses for G J Walter Park:</p> <ul style="list-style-type: none"> <li>• 'commercial coaching programs (water based activities only)</li> <li>• 'hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing'</li> <li>• 'fishing charters', 'canoe and kayak tours'</li> </ul>

Submission #	Theme	Issue raised	Response	Recommendation
			<p>Additionally, Council releases an EOI process every 12 months requiring commercial vendors to re-apply on annual basis. Whilst the time frame for an EOI process may be extended to once every two years the approval process does not support permanent occupation of state reserves for the purpose of temporary commercial activities.</p> <p><b>Commercialisation of public open space</b> A range of measures have been put in place to ensure temporary commercial activities do not become substantially exclusive or commercial. The above criteria including limitations on the allowable footprint (not exceeding 30m<sup>2</sup>) and frequency restricts commercial vendors to small scale activities that are incidental and ancillary to the park and will not interfere with the community's use of the reserve for its designated purpose.</p>	
003	<p>Number of temporary commercial activities per park</p> <p>Impacts on local businesses</p>	The submission does not support the proposal unless each park has a limitation of one vendor and only if the park is not located near similar businesses.	<p><b>Number of temporary commercial activities per park</b> Refer to submission No.11</p> <p><b>Impacts on local businesses</b> The assessment criteria included in Council's factsheet requires food and beverage retailing to be separated by 200m from existing centre or mixed use zones (mainland), or lot boundary of an established business offering the same goods or services (for the Islands). In some cases food and beverage retailing have been excluded from state reserves where they are too close to existing businesses.</p>	<p><b>All parks</b> No change recommended</p>
004 Coochiemudlo Heritage Society	<p>Conflict with planning intentions</p> <p>Sufficient recreational activities</p> <p>Exclusive use</p>	<p>The submission is in relation to Coochiemudlo Island and opposes the inclusion of the three Coochiemudlo foreshore sites (Lots 22/SP144276, 23/SP144276 and 24/SP199973) for the temporary commercial use of open space. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the commercial activities conflict with the core state and local planning intentions that attach to the sites</li> <li><input type="checkbox"/> the sites already provide rich recreational activities</li> <li><input type="checkbox"/> the commercial activities proposed are already commonly and adequately catered for by city gyms and sports fields</li> <li><input type="checkbox"/> the plan would alienate public land for the exclusive use of commercial operators.</li> </ul> <p>The Society has no comment regarding proposals for the Laurie Burns Recreation Reserve.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No. 001.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p>

Submission #	Theme	Issue raised	Response	Recommendation
005	Hours of operation  Permanent fixtures  Noise  Proximity to residents	<p>The submission is in relation to Cylinder Beach Foreshore Park. Whilst the submitter is not opposed to three (3) food vans the following concerns are raised:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> hours of operation</li> <li><input type="checkbox"/> limited time on site</li> <li><input type="checkbox"/> no permanent fixtures</li> <li><input type="checkbox"/> noise control - generators and music</li> <li><input type="checkbox"/> proximity to private property</li> </ul> <p>It is suggested that a more suitable site would be the oval opposite the Bowls Club where power is available.</p>	<p><b>Hours of operation, noise, proximity to residential properties</b></p> <p>Noise and other impacts on nearby residents can be managed by ensuring:</p> <ul style="list-style-type: none"> <li>• commercial vendors are located at least 50m from residential lot boundaries</li> <li>• hours of operation are suitably managed having regard to the separation distance from nearby residential properties within residential zones</li> <li>• adverse impacts through noise, odour, air, waste or light emissions are minimised</li> <li>• use of audio equipment, amplified music, excessively loud voice calls or instructions are avoided</li> <li>• regulated devices (e.g. compressors, generators) are limited to hours that comply with <i>Queensland's Environmental Protection Act, 1994</i></li> </ul> <p>These requirements are included on Council's fact sheets and supported by conditions of approval, regulatory and compliance processes.</p> <p>Given the limited available space within the car park it is proposed to reduce the number of existing designated spaces for temporary commercial activities from five (5) to three (3). Based on a staggered arrangement (roster) five commercial vendors could share three designated spaces within the existing carpark over different times of the week.</p> <p><b>Permanent fixtures</b></p> <p>To be eligible for a temporary commercial activity permit the proposed activity must be limited to temporary structures. As such a commercial vendor is not permitted to undertake permanent fixtures or store equipment on the state reserve overnight or outside of approved hours of operation.</p>	<p><b>Cylinder Beach Foreshore Park</b></p> <p>No change recommended</p>
006	Community consultation	<p>The submission does not support the proposal.</p> <p>Concern was raised in relation to the notification in the local paper appearing on 18th November and submissions from the public closing two days later.</p>	<p><b>Community consultation</b></p> <p>The concerns raised by the submitter are acknowledged. The mechanisms through which awareness of the temporary commercial use of parks was generated included local area marketing activities targeting neighbours and park users (e.g. installing signs at all state owned parks), as well as activities designed to create broad city wide awareness of the engagement (e.g. media releases, social media and display ads in the Redland City Bulletin). Specifically regarding the Redland City Bulletin – a 'quarter page' ad, exclusively promoting this engagement, appeared on 11/11/20 and 18/11/20.</p>	<p>No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
007 Cylinder Beach Traders	Hours of operation  Request for a 5 year approval	<p>The submission outlines the existing operations of the five traders that currently operate at Cylinder Beach and their value to the community. It outlines the benefits to the community which include but are not limited to the creation of a food hub, social interaction, and fitness and fun. Whilst the submission does not specifically comment on the draft land management plan (LMP) it proposes that council considers:</p> <p><input type="checkbox"/> a five year approval to operate for current traders</p> <p><input type="checkbox"/> consulting with traders biannually</p>	<p>The community benefits associated with the existing surf school and food hub through activation, social interaction and complementary services are acknowledged.</p> <p><b>Hours of operation</b> The submitter notes that whilst there are five businesses operating at this reserve only three are ever operational at any one time. By proposing three temporary commercial activities the LMP will continue to facilitate five temporary commercial activities over staggered operating hours. This arrangement is generally supported and will be addressed in more detail through the expression of interest (EOI) and application process.</p> <p>The intent of the LMP and supporting eligibility and assessment criteria is not to remove or diminish the existing food hub. Rather the LMP seeks to ensure a balanced and sustainable outcome where the number of temporary commercial activities is consistent with the available space, capacity of the park, sensitive environmental values and the need to maintain open space for use and enjoyment for all park users.</p> <p><b>Request for a 5 year approval</b> Under Section 60 Trustee permits of the <i>Land Act, 1994</i> a trustee permit must not exceed 3 years, and if the trustee permit is for more than one (1) year Council as trustee must lodge a copy of the permit for registration in the appropriate register. On this basis Council is unable to issue a five (5) year approval. However, it is proposed to amend the time frames for the EOI process from once every two (2) years to once every three (3) years. This will provide a number benefits including the following.</p> <ul style="list-style-type: none"> <li>• Council achieve greater efficiencies in resourcing the implementation of the EOI process.</li> <li>• Commercial vendors have greater certainty over their bookings process and can plan to support future community, sporting or cultural events.</li> <li>• Visitors, tourist operators and local schools have greater certainty over complementary services provided at key tourist locations.</li> </ul> <p>By maintaining an annual application process Council can review the conditions of approval, footprint and location of temporary commercial activities every 12 months to suit changing circumstances. For example, conditions of the permit may need to be amended due to new park upgrades to parking, playgrounds and other park infrastructure; new development that may occur in close proximity to the park; changes that may occur to the physical characteristics of the land through drainage and erosion, or new trustee lease areas.</p>	<p><b>Cylinder Beach Foreshore Park</b> No change recommended</p> <p><b>EOI process</b> Amend the time frame for an EOI process to occur once every three years.</p>

Submission #	Theme	Issue raised	Response	Recommendation
008	<p>Current issues – (park upgrades)</p> <p>Parking and traffic generation</p> <p>Impact on local businesses</p> <p>Kayak launch area (pontoon)</p>	<p>The submission focusses on Raby Esplanade Park. In summary, a number of concerns were raised in relation to recent park upgrades:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> increased traffic</li> <li><input type="checkbox"/> When the playground is in full use residents are struggling to access their homes as cars are parked on both sides of the street</li> <li><input type="checkbox"/> Parked cars creates dangerous conditions with the risk of children running out between vehicles</li> </ul> <p>The submission raises the following concerns in relation to temporary commercial activities:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> coffee and food vans creating opposition to cafes and takeaway food shops on route to the park</li> <li><input type="checkbox"/> adding hired water craft to the kayak launch area (pontoon) will only create more chaos in an already busy main canal and marina entry</li> </ul>	<p><b>Current issues – (park upgrades)</b></p> <p>Recent park upgrades involve new playground, basketball, ping-pong table, amenities block, picnic facilities and additional parking. Noting the recent and future staged upgrades the park has sufficient space to accommodate a maximum of three (3) small scale temporary commercial activities.</p> <p><b>Parking and traffic generation</b></p> <p>The number of car parking spaces has been assessed as part of the recent park upgrade. As a result an additional 18 car spaces have been provided. Since large entertainment activities are excluded and three small scale temporary commercial activities will predominantly support existing park users the proposal is not expected to exacerbate current parking and traffic pressures above current levels.</p> <p><b>Impact on local businesses</b></p> <p>Eligibility and assessment criteria outlined in Council's factsheets requires food and beverage retailing to be separated 200m from existing centre or mixed use zones on the mainland. This requirement is designed to minimise impacts on the ongoing viability of nearby businesses.</p> <p>Taking into account the 50m buffer to residential boundaries temporary commercial activities are limited to the northern part of the park. This area of the park is approximately 580m (walkable distance) from the existing café and take away food outlets at the corner of Gordon and Bainbridge Streets. In addition, the application stage involves an expression of interest (EOI) process to select appropriate temporary commercial activities. The EOI criteria requires applicants to demonstrate how their food and beverage offering (menu) is different from nearby restaurants, cafes, take-away or food and drink outlets. The separation distance and EOI criteria provide sufficient safeguards to minimize adverse impacts on the viability of nearby businesses.</p> <p><b>Kayak launch area (pontoon)</b></p> <p>The pontoon is designed and intended for use as a kayak launching area. Hire of non-motorised watercraft such as canoes and kayaks is an acceptable activity for this canal and pontoon. It is also noted that non-motorised water craft could also be launched from the small sandy beach area along the northern boundary of the park.</p>	<p><b>Raby Esplanade Park</b></p> <p>No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
009	Noise  Traffic and parking  Proposed functional change	The submission is focused on Raby Esplanade Park upgrades and does not support the proposal. The submitter is concerned that the proposed functional change will take away the peaceful friendly nature of the park, add noise, traffic and parking issues along with vehicle pollution.	<p><b>Noise</b> Only small scale low key temporary commercial activities that do not exceed 30m<sup>2</sup> are proposed for the park. Refer to submission No.16 in relation to management of noise</p> <p><b>Proposed functional change</b> It should be noted that temporary commercial activities are subject to a range of eligibility and assessment criteria that are identified in Council's factsheet. The eligibility and assessment criteria require temporary commercial activities to:</p> <ul style="list-style-type: none"> <li>• be secondary and subordinate to the primary recreation and ecological functions of the park</li> <li>• primarily serve existing park users</li> </ul> <p>These limitations do not permit temporary commercial activities to be stand-alone businesses that are unrelated to park activities. Council officers will assess future applications to ensure all commercial vendors comply with these requirements.</p> <p><b>Traffic and parking</b> Refer to submission No.008 in relation to the recent park upgrades, traffic and parking issues.</p>	<b>Raby Esplanade Park</b> No change recommended



Submission #	Theme	Issues raised	Response	Recommendation
010 Coastcare Coochiemudlo Island	Laurie Burns Recreation Reserve - Small scale activities  Local heritage values  Environment al values  Noise impacts  Adequate space	<p>The submission is focussed on Coochiemudlo Island and does not support the proposal as it is not seen as being environmentally sustainable. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> with appropriate community consultation, site evaluation and environmental buffers, the oval of Laurie Burns Recreation Reserve could be viable for small-scale fitness and recreation, tourism-based activities such as Indigenous and cultural tours or approved entertainment</li> <li><input type="checkbox"/> the Emerald Fringe is on the Heritage Register. The submission recommends that the Coochiemudlo foreshores undergo detailed site evaluation based on sustainable visitor management process prior to considering any plan for commercial use</li> <li><input type="checkbox"/> Human traffic over the hind dune is currently a major cause of environmental degradation requiring on-going rehabilitation. Subsequently there is no space to accommodate temporary commercial activities</li> <li><input type="checkbox"/> Main Beach is a breeding area for lorikeets and bush stone curlews and should be managed accordingly</li> <li><input type="checkbox"/> the Plan's activity buffers leave virtually no space available outside for consideration outside of the fenced foreshore zones maintained by Bushcare</li> <li><input type="checkbox"/> the submission suggests that the hire of non-motorised watercraft would be more suitable between the barge ramp and east of the seasonal dog off-leash beach.</li> </ul>	Refer to submission No.001	Refer to submission No.001.

Submission #	Theme	Issues raised	Response	Recommendation
011	Park capacity  Peace and quite  Noise  Displacing current park activities  Exclusive use  Impact on existing businesses	<p>The submission observes that the recommendations of the Plan are largely based on a desktop study and that a generic application of one method fits all has been made. The submission raises the following factors for consideration:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> fluctuations in park loading</li> <li><input type="checkbox"/> the likely impact of noise on adjacent uses</li> <li><input type="checkbox"/> the practicality of up to 3 concurrent uses taking up public open space and excised from general use</li> <li><input type="checkbox"/> existing issues with car parking and boat launching facilities and the likely impact of additional commercial uses</li> <li><input type="checkbox"/> existing problems with itinerant vendors seeking access to large crowds</li> <li><input type="checkbox"/> detailed assessment of the impact food vendors may have on existing businesses</li> <li><input type="checkbox"/> the compatibility of current and likely future informal uses with additional commercial uses - such as council's proposal to increase where dogs on leads are permitted</li> <li><input type="checkbox"/> is there any understanding of the current carrying capacity of the parks and reserves estate?</li> <li><input type="checkbox"/> there appears to be no consideration of the importance of peaceful, passive open space and the importance of landscape settings in light of increased population density</li> <li><input type="checkbox"/> how commercial uses may conflict with or displace the current passive recreation users</li> <li><input type="checkbox"/> consideration for the wildlife that relies on parks and reserves</li> <li><input type="checkbox"/> the commercial use of GJ Walter Park is not supported.</li> </ul>	<p><b>Park capacity</b>            External consultants undertook a site assessment considering the purpose of the reserve and the suitability of the park for a range of temporary commercial activities. A broad range of matters were considered including:</p> <ul style="list-style-type: none"> <li>• slope, access, cleared areas</li> <li>• cultural and environmental values</li> <li>• constraints such as natural hazards</li> <li>• existing park infrastructure</li> <li>• future park upgrades</li> <li>• existing recreation and sporting activities</li> <li>• areas under leases or license to occupy</li> <li>• compatible land uses and park events</li> <li>• purpose of the reserve</li> </ul> <p>A desktop analysis and site inspections were undertaken as part of this assessment. Council's Environment and Education Unit also reviewed the draft LMP in terms of environmentally sensitive locations. Subsequently, the overall number, types and frequency of temporary commercial activities were adjusted to suit the capacity, values and characteristics of each park. In some cases due to constraints and other factors some parks were removed, or temporary commercial activities were limited to one (1). While for other parks food and beverage retailing were excluded due to proximity to cafes and food and drink outlets.</p> <p><b>Peace and quite</b>            Refer to submission No.20.</p> <p><b>Noise</b>            Refer to submission No.16.</p> <p><b>Displacing current park activities</b>            Due to the number of restrictions on noise, size and footprint the proposed temporary commercial activities are not expected to displace any current park activities or visitors that use the park for passive recreation.</p>	<p><b>G J Walter</b>            Refer to submission No.002 and No.020.</p>

Submission #	Theme	Issue raised	Response	Recommendation
011			<p><b>Exclusive use</b></p> <p>The eligibility and assessment criteria are specifically designed to ensure temporary commercial activities maintain public open space for the use and enjoyment of all parks users. Temporary commercial activities must comply with the following criteria:</p> <ul style="list-style-type: none"> <li>• non-permanent and limited to temporary structures</li> <li>• secondary and subservient to the open space</li> <li>• non-exclusive</li> <li>• primarily serve existing park users</li> <li>• limited to an approval period of 12 months with the ability to re-apply on an annual basis.</li> </ul> <p>These requirements are included in Council's fact sheets, supported by conditions of approval and designed to avoid exclusive use and minimise impact on park users and activities.</p> <p><b>Impact on existing businesses</b></p> <p>Eligibility and assessment criteria outlined in Council's factsheets requires food and beverage retailing to be separated 200m from existing centre or mixed use zones on the mainland. This requirement is designed to minimise impacts on the ongoing viability of nearby businesses. In addition, the application stage involves an expression of interest (EOI) process to select appropriate temporary commercial activities. The EOI criteria requires applicants to demonstrate how their food and beverage offering (menu) is different from nearby restaurants, cafes, take-away or food and drink outlets. The separation distance and EOI criteria provide sufficient safeguards to minimize adverse impacts on the viability of nearby businesses.</p>	

Submission #	Theme	Issues raised	Response	Recommendation
012	Conflict with planning intentions  Exclusive use	<p>The submission supports the Coochiemudlo Heritage Society submission (#004) and outlines the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the commercial activities conflict with the core state and local planning intentions that attach to the sites</li> <li><input type="checkbox"/> the sites already provide rich recreational activities</li> <li><input type="checkbox"/> the commercial activities proposed are already commonly and adequately catered for by city gyms and sports fields</li> <li><input type="checkbox"/> the plan would alienate public land for the exclusive use of commercial operators.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> Laurie Burns Recreation Reserve is a sports park zoned recreation and open space and is not impacted by the local heritage designation – “The Emerald Fringe”. The range of temporary commercial activities are ancillary and complementary to the planning intentions of the site which is to provide for a range of sporting, recreation, leisure, cultural and educational activities.</p> <p>Temporary commercial activities provide goods and services in a manner that activates parks and open spaces and enhances the recreational experience of park users.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>
013 Queensland Government Parks and Wildlife Service and Partnerships	Shorebird habitat  Water based activities	<p>The submission raises issues with proposed secondary uses at Oyster Point Park. In summary;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the proposed watercraft would be located within the Moreton Bay Marine Park - an important high tide roost for shorebirds</li> <li><input type="checkbox"/> operating a watercraft hire or tourist operation from this location at high tide is likely to significantly disturb shorebirds</li> <li><input type="checkbox"/> a large intertidal area at mid to low tide would make use of the area by watercraft impractical at these times</li> <li><input type="checkbox"/> Due to the high likelihood of any watercraft related business operating out of this location negatively impacting shorebirds, DES would suggest RCC re-consider allowing any secondary commercial at Oyster Point Park for watercraft hire or canoe and kayak tourist based activities.</li> <li><input type="checkbox"/> a watercraft related operation would need a marine park permit to operate at this location which would unlikely to be granted due to the shorebird values</li> </ul> <p>We have no concerns related to other foreshore areas listed on the website and related documents.</p>	<p><b>Oyster Point Park</b> Due to the sensitive shorebird habitat and challenges associated with water access during low and mid-tide the following temporary commercial activities should be excluded:</p> <ul style="list-style-type: none"> <li>• commercial coaching programs (water based activities only) e.g. surf school, commercial triathlon</li> <li>• hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</li> <li>• fishing charters, canoe and kayak tours.</li> </ul> <p>It is noted that other land-based commercial coaching programs may be suitable for this site.</p> <p>It is recognized that some activities may trigger the need for other permits such as Moreton Bay Marine park permit. As specified in Council’s fact sheets applicants will be required to apply for additional permits where relevant.</p>	<p><b>Oyster Point Park</b> Removal of the following proposed secondary uses for Oyster Point Park:</p> <ul style="list-style-type: none"> <li>• ‘commercial coaching programs (water based activities only)</li> <li>• ‘hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing’</li> <li>• ‘fishing charters’</li> <li>• ‘canoe and kayak tours’</li> </ul>

Submission #	Theme	Issue raised	Response	Recommendation
014 Coochiemudlo Island Community Facebook page	Park capacity  Litter	In summary comments posted included the following: <input type="checkbox"/> the foreshore is under enough pressure already <input type="checkbox"/> rubbish left by visitors is an issue <input type="checkbox"/> the activities do not add to Coochiemudlo Island.	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.
015	Noise	<p>The submission is focussed on Raby Esplanade Park and raises the issue of noise as the resident lives 50 meters from exercise equipment and are disturbed from 4.30am by people using the park and equipment. The park opening time currently is 4am which is requested to be addressed if allowing commercial activities.</p> <p>The submitter is seeking information on the proposed restrictions on the applications for any Commercial activities to be undertaken in the park and the process on how Council will administer and enforce the activities approved.</p>	<p><b>Noise</b> Noise and other impacts on nearby residents can be managed by ensuring commercial vendors:</p> <ul style="list-style-type: none"><li>• are generally limited to the hours of 7am - 7pm Monday to Sunday and 8am – 7pm on Sunday and public holidays</li><li>• minimise adverse impacts through noise, odour, air, waste or light emissions</li><li>• avoid use of audio equipment, amplified music, excessively loud voice calls or instructions</li><li>• minimise excessive noise through the use of equipment</li><li>• limit regulated devices (e.g. compressors, generators) to hours that comply with <i>Queensland's Environmental Protection Act, 1994</i></li></ul> <p>Commercial vendors or approval holders are subject to a number of restrictions that include a range of eligibility and assessment criteria. These restrictions are included on Council's fact sheets available on Council's 'have your say' webpage at <a href="https://yoursay.redland.qld.gov.au/temporary-commercial-use-of-parks-and-open-spaces1">https://yoursay.redland.qld.gov.au/temporary-commercial-use-of-parks-and-open-spaces1</a>. Some key limitations include minimum separation distances from residential properties boundaries, setbacks from park furniture and restrictions on noise, hours of operation, use of audio equipment and regulated devices. A certificate of approval to carry out a temporary commercial activity is limited to one year. Where there is a breach against conditions of approval or eligibility and assessment criteria Council officers are authorized to undertake compliance action where appropriate.</p> <p>The limitations on the number and type of secondary uses are outlined within the draft Land Management Plan that is also available on Council's 'have your say' webpage. In this instance Raby Esplanade Park is limited to a maximum of three small scale temporary commercial activities that do not exceed a footprint of 30m<sup>2</sup>. Large scale entertainment activities such as markets and open air cinemas are not permitted within the park.</p>	<b>Raby Esplanade Park</b> No change recommended

Submission #	Theme	Issue raised	Response	Recommendation
016	Park capacity (animal petting)  Noise  Lack of grass areas  Parking and traffic generation  Bikes and scooters  Bins  Tourist activities	<p>The submission is in relation to Raby Esplanade Park and does not support the proposed commercial activities. In summary, the concerns relate to the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the area is not cohesive to allow animal petting (lack of grass, and area is full of weeds)</li> <li><input type="checkbox"/> the noise issues for residents</li> <li><input type="checkbox"/> the pathways aren't wide enough for bikes and scooters</li> <li><input type="checkbox"/> tourists don't visit Raby Esplanade Park</li> <li><input type="checkbox"/> insufficient car parking</li> <li><input type="checkbox"/> insufficient bins</li> <li><input type="checkbox"/> the park is not well maintained</li> </ul>	<p><b>Park capacity (animal petting)</b> It is recognized that Raby Esplanade Park is a popular T3 neighbourhood park providing a diversity of recreation activities (play experiences, picnic and BBQ facilities, public amenities, exercise equipment, pontoon for canoe access, basketball half court). In this instance all temporary commercial activities are limited to a small footprint of 30m<sup>2</sup>. Larger entertainment activities such as children petting zoo, jumping castles and markets are excluded from this park.</p> <p><b>Noise</b> Noise and other impacts on nearby residents can be managed by ensuring commercial vendors:</p> <ul style="list-style-type: none"> <li>• are located at least 50m from residential lot boundaries</li> <li>• are generally limited to the hours of 7am - 7pm Monday to Sunday and 8am – 7pm on Sunday and public holidays</li> <li>• minimise adverse impacts through noise, odour, air, waste or light emissions</li> <li>• avoid use of audio equipment, amplified music, excessively loud voice calls or instructions</li> <li>• minimise excessive noise through the use of equipment</li> <li>• limit regulated devices (e.g. compressors, generators) to hours that comply with <i>Queensland's Environmental Protection Act, 1994</i></li> </ul> <p>These requirements are included on Council's fact sheets and supported by conditions of approval, regulatory and compliance processes.</p> <p><b>Lack of grass areas</b> There are a range of challenges associated with maintaining turf for a number of our foreshore parks. The footprint of the temporary commercial activities can be rotated on different areas to minimise wear and tear. Other permanent solutions could involve a concrete slab or artificial turf for a small footprint occupied by a commercial vendor which can also be used for recreation activities outside of trading hours.</p> <p><b>Bikes and scooters</b> Bike and scooter hire activities can be accommodated on footpaths within the park and on adjacent local streets. It should be noted that part of the Moreton Bay Cycle way intersects the park in a north south direction and can be shared by pedestrians and cyclists. The width of the internal footpaths would not preclude bike and scooter hire.</p>	<p><b>Raby Esplanade Park</b> No change recommended</p>



Submission #	Theme	Issue raised	Response	Recommendation
016			<p><b>Parking and traffic generation</b> Refer to submission No.8</p> <p><b>Bins</b> The park currently includes two (2) recycle wheelie bins and eight (8) waste wheelie bins which is adequate for the park. The assessment and legibility criteria requires that all commercial vendors use their own bins and ensure waste generated by their activity is collected and removed from the site. Council has a regular maintenance schedule for all T3 neighbourhood parks that addresses mowing, weeding and litter control.</p> <p><b>Tourist activities</b> Small scale tourist based activities that do not exceed a footprint 30m2 such as canoe and kayak tours could operate from Raby Esplanade Park. This type of temporary commercial activity does not require a venue or park that is a well-known tourist destination.</p>	
017	General Support	The submission is in relation to Point Lookout Oval and supports the commercial temporary use of the underutilised facility.	<p><b>Point Lookout Oval</b> Support for temporary commercial activities at Point Lookout Oval is acknowledged.</p>	<p><b>Point Lookout Oval</b> No change recommended</p>
018	Traffic	The submission relates to Raby Esplanade Park and objects to the proposal due to potential increase in cars.	<p><b>Raby Esplanade Park</b> Refer to submission No.016</p>	<p><b>Raby Esplanade Park</b> No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
019	General support  Vehicle access on sports oval  Noise	The submission relates to Jackson Oval and supports the temporary commercial use with the exception of vehicles on the oval to ensure the oval surface is maintained. Also would suggest no music on the footpath and close to residents due to issues with noise.  The existing public toilets are not always functioning.	<b>Vehicle access on sports oval</b> It is proposed to amend the eligibility and assessment criteria to generally avoid vehicles being parked on designated sporting ovals unless supported by existing leaseholders or sporting clubs that occupy the park.  Noise impacts on nearby residents can be managed through existing eligibility and assessment criteria, and conditions of approval. Please refer to response No. 016.  <b>Noise</b> The 50m buffer to residential lot boundaries would also preclude temporary commercial activities from setting up within or adjacent to the existing carpark area and footpaths.	<b>Jackson Oval</b> Amend 'Fact sheet No.2 – Temporary commercial activities (eligibility and assessment criteria)' by adding the following assessment criteria under 'Use – general': "Applicants and approval holders must ensure that the secondary use generally avoids vehicles being parked on sports ovals unless existing leaseholders provide their written agreement."

Submission #	Theme	Issue raised	Response	Recommendation
020	Purpose of the reserve  Peace and quite  Impact on park activities	<p>The submission is in relation to G J Walter Park. The proposal is supported as long as the commercial activities are in line with the current uses of the park and only be allowed if they pose no interference to the present uses.</p> <p>Any additional use of this park in a commercial way would need to be in line with the purpose for which this park was made and is currently used. That is, for the enjoyment of people to experience the peace of the foreshore.</p> <p>Current groups that use the park need to continue to have it be a safe place from traffic and large numbers of people at any one time.</p> <p>Any additional commercial use of this park must take these activities into account and only be allowed if they pose no interference to the present uses of G.J. Walters Park.</p>	<p><b>Purpose of the reserve</b> The designated purpose of the reserve is for 'park' and 'recreation' which allows for a broad range of passive and active park activities that are ancillary to the primary recreation functions of the park. The proposed temporary commercial activities are consistent with the purpose of the reserve in terms of the type of activity, scale (footprint) or frequency of use.</p> <p><b>Peace and quite</b> G J Walter Park is classified as a T2 community park. The Redlands Open Space Strategy 2012-2026 indicates that <i>community events that require a park based setting such as car rallies, markets, musical events and film nights will usually be accommodated within a T2 community park.</i> On this basis a certain level of noise is expected within a popular T2 community Park that is designed to accommodate a variety of activities to keep visitors entertained for several hours. Notwithstanding, the restrictions on noise, hours of operation, exclusion of larger entertainment activities (due to limited space); three small scale temporary commercial activities are not expected to have a significant effect on the peace and tranquility of the park.</p> <p><b>Impact on park activities</b> The eligibility and assessment criteria along with the EOI process are designed to ensure that secondary uses complement current park activities which include:</p> <ul style="list-style-type: none"> <li>• dog off leash area (DOLA)</li> <li>• play experience and nature based play</li> <li>• BBQ and picnicking</li> <li>• nature appreciation</li> <li>• cricket and kick-about</li> </ul> <p>As a large T2 Community Park (5.45ha) there is sufficient space to accommodate an additional three small scale temporary commercial activities without the need to displace current park activities.</p>	<p><b>G J Walter Park</b> Refer to submission No.11</p>

Submission #	Theme	Issue raised	Response	Recommendation
Online survey responses (submission No.21 – No.93)				
021	Workplace health and safety  Noise	The proposal is supported as long as it complies with all workplace health and safety obligations, environmental laws, hygiene including COVID 19 Plan, and related requirements that protect neighbours from public noise and interference. Encouraging such enterprise benefits the community and the owner/operators.	<b>Workplace health and safety/noise</b> General support for temporary commercial activities is acknowledged. The eligibility and assessment criteria requires commercial vendors to protect the environment and maintain the health, safety and amenity of nearby residents and park users. State Government Covid_19 restrictions continue to apply to all temporary commercial activities that are approved to operate at specific state reserves.  <b>Noise</b> Refer to submission No.16.	No change recommended
022	Current activities  Impact on existing businesses  Environmental values	The submission is focused on Main Beach Coochiemudlo. In summary:  <input type="checkbox"/> there are already large numbers of people coming from the Mainland to use the beach <input type="checkbox"/> there is already a boat and kayak rental <input type="checkbox"/> every weekend in the summer there are lifesaver activities and their competitions often see a hundred people crowded on to the beach at the edge of the Emerald Fringe <input type="checkbox"/> coffee vendors would be in competition with the two existing beachfront cafes <input type="checkbox"/> concern over the additional litter of paper cups which could endanger wildlife <input type="checkbox"/> Main Beach is covered by an environmental and heritage overlay <input type="checkbox"/> too much pedestrian traffic will be detrimental to the fragile vegetation that is remaining there	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.

Submission #	Theme	Issue raised	Response	Recommendation
023	Park capacity  Noise  Parking and traffic  Noise	The submission is in relation to Apex Park. In summary, the concerns relate to the following: <input type="checkbox"/> the park is already a very busy and well used park from early morning to early evening <input type="checkbox"/> limited parking and busy nature of Starkey Street <input type="checkbox"/> risk posed by increased traffic movements <input type="checkbox"/> need to limit hours to ensure park users and nearby residents are not impacted by noise or over crowding	<p><b>Park capacity</b>            The concerns raised by the submitter are acknowledged. It is recognized that Apex Park is a popular T2 community park and there is limited parking. Based on a number of constraints such as the lack of available cleared areas and diverse range of existing recreation activities (BMX track, upgraded playground, shade sails, BBQ and picnic facilities, basketball half court, public amenities) only one temporary commercial activity is recommended. In addition the secondary use must be limited to a small footprint of 30m2.</p> <p><b>Parking and traffic</b>            Large entertainment activities are excluded from Apex Park. One small scale temporary commercial activity supporting existing park users is not expected to exacerbate current parking and traffic pressures above current levels. Additionally, the existing car park lies within the 50m buffer to residential properties which precludes temporary commercial activities from taking up existing car spaces.</p> <p><b>Noise</b>            Refer to submission No.16.</p>	<p><b>Apex Park</b>            No change recommended</p>
024	General support	The submission is in relation to Coochiemudlo Island, and states that it's a great idea as the Island needs more attractions/services.	<p><b>Coochiemudlo Foreshore East and West Parks</b>            Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b>            It is noted that Laurie Burns Recreation Reserve will remain in the Plan providing opportunities for temporary commercial activities.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b>            Refer to submission No.1</p> <p><b>Laurie Burns Recreation Reserve</b>            Refer to submission No.1</p>

Submission #	Theme	Issue raised	Response	Recommendation
025	Park – other	<p>The submission relates to Back Beach/Morwong Beach, Coochiemudlo Island.</p> <p>The proposal is not supported, in summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> it does not support any activity other than humans swimming or lying on the beach</li> <li><input type="checkbox"/> it is enjoyed for its silence, birds, noise of the sea, to swim, to read, to meditate</li> <li><input type="checkbox"/> Front beach is alive with noise and people, so leave back beach for the locals who moved here for natural beauty and serenity.</li> </ul>	<p><b>Back Beach/Morwong Beach, Coochiemudlo Island.</b></p> <p>The draft LMP does not propose temporary commercial activities at Back Beach/Morwong Beach.</p> <p>Refer to submission No.001 which seeks to remove Coochiemudlo Foreshore East from the LMP but retain one (1) secondary use at the Coochiemudlo Foreshore West sites to facilitate the continuation of the existing boat hire business.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>
026	General non-support	<p>The submission is in relation to Coochiemudlo Island and does not support commercial groups on the Island.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> It is noted that Laurie Burns Recreation Reserve will remain in the Plan providing opportunities for temporary commercial activities.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>
027	General support	<p>The submission is in relation to Laurie Burns Oval and is supportive of this space being available for commercial activities related to food and beverages, market stalls and concerts. They are happy for personal trainers to use this precinct but not beyond this area.</p> <p>Triathlons or other major sporting events are not supported on Coochiemudlo Island as a small island any large scale events are thought to be unsuitable.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> The definition of temporary commercial activities excludes triathlons or other major sporting events. However, it may include small scale coaching programs that do not exceed a designated area of 30m<sup>2</sup> (for equipment, signage etc.) with the ability to undertake physical exercise and training along pathways or sport fields.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>



Submission #	Theme	Issue raised	Response	Recommendation
028	General support	The submission is in relation to Coochiemudlo Island and supports the idea, however would like to see locals on Coochiemudlo Island get first priority when using the spots allocated.	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> Refer to submission No.001</p> <p>General support for temporary commercial activities is acknowledged. The EOI process is undertaken to ensure a fair and transparent process in terms of allocating available spaces for temporary commercial activities. It should be noted that the EOI process does give preference to local businesses or suppliers.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>
029	Local heritage values Impact on businesses Lack of parking Compliance	<p>The submission is in relation to the Coochiemudlo Foreshore East and West sites. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> these areas are part of the heritage listed Emerald Fringe</li> <li><input type="checkbox"/> increased public activity where various types of infrastructure can be put on the sand and the foreshore does not fit with the heritage listing and obligations of preserving what is there</li> <li><input type="checkbox"/> the existing businesses run by locals may be negatively impacted by the opening up of more businesses down on the beach</li> <li><input type="checkbox"/> the likely increase of take away coffee cups is likely to create more rubbish on the beaches</li> <li><input type="checkbox"/> there are no rangers or police on the Island to ensure public compliance as residents on the mainland enjoy.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p>
030	Local heritage values Environmental values Park capacity Parking	<p>The submission is in regards to Coochiemudlo Island Foreshore East and West sites. In summary;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the Islands visitor numbers are at capacity</li> <li><input type="checkbox"/> the environmental, community and lifestyle benefits of the proposal are questioned</li> <li><input type="checkbox"/> inadequate car parking and public transport.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p>

Submission #	Theme	Issue raised	Response	Recommendation
031	Exclusive use  Noise	The submission relates to Cylinder Foreshore, Cylinder Foreshore Headland and Headland Park. In summary:  <input type="checkbox"/> the submission does not support entertainment activities as these parks are for the enjoyment of all not for catered wedding parties  <input type="checkbox"/> animal petting zoos in an environmentally sensitive area are not supported  <input type="checkbox"/> personal trainers, box fit and boot camp with more than 5 people are not supported as these are very aggressive and noisy  <input type="checkbox"/> these activities are not suitable for the recreational areas of NSI.	<b>Exclusive use</b> The draft LMP excludes larger scale entertainment activities (catered wedding parties and animal petting zoos) and only supports small scale temporary commercial activities that do not exceed a footprint of 30m <sup>2</sup> . Small scale temporary commercial activities are not expected to exclude or adversely impact on existing park users.  Depending on the size, shape and constraints of the park the number of temporary commercial activities are also limited. For example, only one temporary commercial activity is proposed for Cylinder Headland Foreshore, two for Headland Park and three for Cylinder Beach Foreshore.  <b>Noise</b> Please refer to response No. 015 in relation to potential noise issues associated with personal trainers.	<b>Cylinder Headland Foreshore, Headland Park and Cylinder Beach Foreshore.</b>  No change recommended
032	Insufficient infrastructure  Environmental values  Park capacity	The submission is in regards to the Coochiemudlo Island and does not support the proposal. In summary:  <input type="checkbox"/> the Island has insufficient infrastructure to have businesses like this set up  <input type="checkbox"/> the fragile Emerald Coast Fringe needs to be protected from further wear and tear  <input type="checkbox"/> the island is too small for what is proposed.	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.  <b>Laurie Burns Recreation Reserve</b> Refer to submission No.001	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1  <b>Laurie Burns Recreation Reserve</b> No change recommended
033	Parking  Environmental values  Peace and Quite	The submission is in relation to the Coochiemudlo Island parks and does not support the proposal. In summary:  <input type="checkbox"/> car parking is already limited and the proposed commercial ventures will make it impossible  <input type="checkbox"/> concern over putting the ecosystem and wildlife at risk  <input type="checkbox"/> concern over loss of peaceful lifestyle	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.  <b>Laurie Burns Recreation Reserve</b> Refer to submission No.001	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1  <b>Laurie Burns Recreation Reserve</b> No change recommended

Submission #	Theme	Issue raised	Response	Recommendation
034	Noise Traffic generation Use and enjoyment	<p>The submission is in relation to Raby Esplanade Park and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> does not support access by personal trainers before 9am and after dark as the equipment is too close to houses with respect to noise</li> <li><input type="checkbox"/> there is enough existing traffic in the area and this will create more along with the noise it will bring</li> <li><input type="checkbox"/> it will take away the use of the equipment from the locals that it was put in for.</li> </ul>	<p><b>Noise</b> Please refer to submission No.015 in relation to how noise from personal trainers can be managed to minimise impacts on nearby residents.</p> <p><b>Traffic generation</b> Three small scale temporary commercial activities supporting existing park users that do not exceed a footprint of 30m2 are not expected to exacerbate traffic and associated noise above existing levels.</p> <p><b>Use and enjoyment</b> The assessment criteria included in Council's fact sheet allows personal trainers to use outdoor fitness equipment only when not in use by the general public. This requirement will be supported by conditions of approval.</p>	<b>Raby Esplanade Park</b> No change recommended
035	Insufficient public transport Parking General non-support	<p>The submission is in relation to the Coochiemudlo Island sites. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> there is a concern that jumping castles, petting zoos are impractical (will have to be shipped over)</li> <li><input type="checkbox"/> there is insufficient car parking and public transport to accommodate extra visitors that seek to use these activities</li> <li><input type="checkbox"/> the non-water-based activities should be kept on the mainland.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> Refer to submission No.001. The draft LMP does not propose major events that will attract significant crowds to Coochiemudlo Island creating unnecessary travel and environmental emissions.</p> <p>In terms of larger entertainment activities (e.g. markets, open pair cinema) that may extend beyond a small footprint there are a number of restrictions on noise, hours of operation, and frequency of use which will assist in maintaining use and enjoyment of the park for all visitors. These requirements are included on Council's fact sheets and supported by conditions of approval and can be managed through the application and regulatory process.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
036	Insufficient infrastructure  General non-support  Park capacity	<p>The submission is focussed on the Coochiemudlo foreshore sites and does not support commercial uses. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> it does not support any commercial use of the Coochiemudlo foreshore</li> <li><input type="checkbox"/> it's a very small community with few resources which are already stretched during busier summer months and holidays</li> <li><input type="checkbox"/> during peak times the northern and southern beaches are full of water craft making it difficult to even go for a safe swim.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> Refer to submission No.001</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>
037	Environmental values  Noise  Rubbish/litter  Parking	<p>The submission is in regards to Shore Street North and does not support the proposal for any commercial use. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the park is right next to mangroves and increased people numbers will just encourage them to walk through the mangroves and cause damage</li> <li><input type="checkbox"/> the proximity to residential housing would not be acceptable due to noise i.e. a business such as a boot camp is usually early morning</li> <li><input type="checkbox"/> rubbish left in this park is already a problem and more people means more rubbish</li> <li><input type="checkbox"/> there is no parking available as it and when boat trailers are being illegally parking up and down the street on a weekend this will only make things worse.</li> </ul>	<p><b>Environmental values</b> Due to the size and shape of the park only one (1) temporary commercial activity is recommended. Additionally, larger entertainment activities likely to exceed a small footprint of 30sqm (e.g. markets, open air cinemas) are not proposed for Shore Street North Foreshore Park. In this circumstance the park has capacity for one small scale temporary commercial activity and is not expected to adversely impact on mangroves along the foreshore.</p> <p><b>Parking and traffic</b> One small scale temporary commercial activity supporting existing park users is not expected to exacerbate current parking and traffic pressures above current levels.</p> <p><b>Rubbish / litter</b> The park currently includes one (1) doggy bag dispenser and one (1) waste wheelie bins which is adequate for the park. The assessment and legibility criteria requires that all commercial vendors use their own bins and ensure waste generated by their activity is collected and removed from the site. Council has a regular maintenance schedule for all parks that addresses mowing, weeding and litter control.</p> <p><b>Noise</b> Refer to submission No.16.</p>	<p><b>Shore Street North Foreshore</b> No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
038	Traffic  Parking  Litter	<p>The submission is in relation to William Stewart Park. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> consideration needs to be given to traffic management and parking for any event that may draw significant crowds</li> <li><input type="checkbox"/> concern about litter management - the skate park on the eastern side of the oval is often a mess, even though there is a rubbish bin right there.</li> </ul>	<p><b>Traffic</b> Where crowds in excess of 50 persons are anticipated through larger entertainment activities such as markets, open air cinemas and wedding ceremonies event traffic marshalls will be required as a condition of approval. It is noted that larger entertainment activities are limited to a maximum of twice per week, or in the case of markets once per month.</p> <p><b>Rubbish / litter</b> Assessment criteria outlined in Council's factsheet and conditions of approval will require commercial vendors to collect and remove waste generated by the activity.</p> <p>The park currently includes one (1) doggy bag dispenser and three (3) waste wheelie bins which is adequate for the park. The assessment and legibility criteria requires that all commercial vendors use their own bins and ensure waste generated by their activity is collected and removed from the site. Council has a regular maintenance schedule for all T2 community parks that addresses mowing, weeding and litter control.</p>	<p><b>William Stewart Park</b> No change recommended</p>
039	General support	I think it is a great idea to vitalise these public areas to make them more appealing to the wider community as well as provide commercial opportunities for small local businesses	General support for temporary commercial activities is acknowledged.	<p><b>All parks</b> No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
040	<p>Insufficient infrastructure</p> <p>EOI process</p> <p>Impacts on existing businesses</p>	<p>The submission is in relation to Cylinder Beach Foreshore, Cylinder Headland Foreshore and Point Lookout Oval and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Cylinder headland foreshore is an unsuitable site as it has no amenities other than a shower and a tap</li> <li><input type="checkbox"/> Cylinder's beach car park currently has 5 local traders servicing locals and visitors and there is no need to seek tenders for services that competent businesses are already providing</li> <li><input type="checkbox"/> there is a cafe already located opposite at the Alure resort</li> <li><input type="checkbox"/> the only appropriate activity would be fitness/yoga.</li> </ul>	<p><b>Cylinder Headland Foreshore</b> Cylinder Headland Foreshore has limited cleared areas and therefore is proposed to accommodate a maximum of one temporary commercial activity not exceeding a small footprint of 30m2. This could be accommodated within a car space or small cleared section near the car parking area.</p> <p><b>Cylinder Beach Foreshore</b> Refer to submission No.7.</p> <p>The value of the food hub created by the existing five local traders at Cylinder Beach Foreshore is generally supported. However, it is important to apply a consistent approach to the assessment and approval of all temporary commercial activities regardless of their location. An EOI and assessment process is required to apply a fair and consistent approach to the selection and ongoing management of temporary commercial activities. This will provide current business owners and the local community with a greater level of certainty in terms of how temporary commercial activities should be selected and managed in our parks and reserves. Council also has an obligation to assess and regulate these activities in accordance with the Local Government Act, 2009, Local Law No.1 (Administration) 2015 and Subordinate Local Law No.1.2 (Commercial use of local government controlled areas and roads) 2015 on council owned or controlled land.</p> <p><b>Point Lookout Oval</b> The assessment criteria included in Council's fact sheets requires food and beverage retailing to be separated by 200m from existing centre or mixed use zone (mainland), or lot boundary (for the Islands) of an established lawfully approved business offering the same goods or services. Recognising that the majority of Point Lookout Oval is within 200m of cafes and food outlets (bowls club and Alure resort), proposals that seek to provide a different food or drink offering (menu) could be considered at this location.</p>	<p><b>Cylinder Headland Foreshore</b> No change recommended</p> <p><b>Cylinder Beach Foreshore</b> No change recommended</p> <p><b>Point Lookout Oval</b> No change recommended</p>



Submission #	Theme	Issue raised	Response	Recommendation
041	Park capacity  Leisure activities already catered for	<p>The submission is in relation to Coochiemudlo Island and does not support the proposed commercial activities and raises the following concerns:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> activities do not add to Coochiemudlo Island</li> <li><input type="checkbox"/> the actual size of the island and the limited amount of public space available should be major consideration</li> <li><input type="checkbox"/> the Island attracts visitors to enjoy the beaches. There are a number of sporting and leisure activities already available</li> <li><input type="checkbox"/> Laurie Burns Park is well used for outdoor sport activities as well as children kicking a ball.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> Refer to submission No.001</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>
042	Request for fitness equipment	<p>The submission is in relation to Cleveland Point Recreation Reserve and G J Walter Park and raises the following concerns:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> since we have been prohibited from using any form of suspension device/equipment from structures that this law highlights the desperate need and addition of Calisthenics workout stations in these locations</li> <li><input type="checkbox"/> If not a complete workout station at least bars such as high, low and parallel same as Wellington Point</li> </ul>	<p><b>Cleveland Point Recreation Reserve</b> Refer to submission No.2</p> <p><b>GJ Walter Park</b> Refer to submission No.2 and 20.</p> <p><b>Request for fitness equipment</b> To maintain use and enjoyment of the park for current visitor's fitness and recreation instructors or coaches are not permitted to use existing park infrastructure and furniture (shelters, tables and chairs) for the purpose of training or exercise. However, personal trainers are permitted to use outdoor fitness equipment only when not in use by the general public. The request for additional fitness equipment for Cleveland Point Recreation Reserve and G J Walter Park will be considered as part of future park planning and budget prioritization processes.</p>	<p><b>Cleveland Point Recreation Reserve</b> Refer to submission No.2</p> <p><b>GJ Walter Park</b></p>

Submission #	Theme	Issue raised	Response	Recommendation
043	Parking Traffic Safety Water based activities	The submission is focussed on Apex Park. In summary: <ul style="list-style-type: none"><li><input type="checkbox"/> car parking is insufficient to have food trucks etc. and the roads around the park are narrow and too busy to cope with increased traffic</li><li><input type="checkbox"/> elderly people use the park for walking and the use of scooters on the paths could be dangerous</li><li><input type="checkbox"/> it is hoped that the creek would not be used for water activities as this would affect the wildlife.</li></ul>	<b>Traffic and parking, water based activities</b> Refer to submission No.023. It should be noted that Hilliards Creek does not form part of the park and therefore water based activities are not anticipated.  <b>Bikes and scooters</b> Bike and scooter hire activities can be accommodated on footpaths within the park and on adjacent local streets. It should be noted that part of the Moreton Bay Cycle way intersects the park in a north south direction and can be shared by pedestrians and cyclists. The width of the internal footpaths would not preclude bike and scooter hire.	<b>Apex Park</b> Refer to submission No.023

Submission #	Theme	Issue raised	Response	Recommendation
044	Local heritage values Environmental values Pressure on existing services Selection of appropriate business Risk assessment	<p>The submission is focused on Coochiemudlo Island and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the Island is a very different amenity /environment to the mainland and even some of the other island parks. It is a very small island with a fragile ecosystem, limited emergency and medical facilities and no police presence. The use of the parks cannot be considered in isolation from the environment in which they exist</li> <li><input type="checkbox"/> those services that do exist are often provided by voluntary/ semi voluntary groups and individuals. Any major increase in activities and tourism on the island will place stress on the existing on-island services available to our community</li> <li><input type="checkbox"/> while many of the activities listed in the LMP are already available on the Island e.g. boat hire, regular market days, exercise classes etc. they are mainly run by Coochie residents/organisations</li> <li><input type="checkbox"/> there are a number of locations on the island that are environmentally fragile with unique birds, animals and vegetation. These areas are vulnerable and need to be protected. They are subject to various national and international 'environment classifications' e.g. the RAMSAR listed Melaleuca wetlands, the Heritage listed Emerald Fringe.</li> <li><input type="checkbox"/> Are the activities to be provided by only Coochiemudlo groups or off island groups etc?</li> <li><input type="checkbox"/> Currently most recreational/tourist activities that take place on the island are provided/run by on island, non-profit organisations/associations e.g.</li> </ul> <p>It is suggested that there needs to be risk assessment carried out before any increased commercial use of parks and/or tourism promotion initiatives.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> Refer to submission No.001</p> <p><b>Selection of appropriate business</b> An expression of interest (EOI) is undertaken to ensure a fair and transparent process in terms of allocating available spaces for temporary commercial activities. It should be noted that the EOI process does give preference to local businesses or suppliers.</p> <p><b>Risk assessment</b> A consistent assessment and approvals framework is in place to effectively manage risk and the potential impacts of temporary commercial activities. In addition, commercial vendors are required to:</p> <ul style="list-style-type: none"> <li>• manage the risks associated with the temporary commercial activity and its location</li> <li>• be fully licensed and accredited to carry out the activity</li> <li>• hold relevant insurances (public liability insurance and product liability insurance each to the value of \$20 million, and professional indemnity insurance) where relevant.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> Refer to submission No.001</p>

Submission #	Theme	Issue raised	Response	Recommendation
045	General support	The submission is in regards to Mount Cotton Community Park and supports the proposal. In summary, there's is scope for group fitness training. There is flat open space with easy access to amenities providing a safe environment for physical activity.	The issues raised by the submitter are acknowledged and supported. The draft LMP proposes to accommodate fitness and recreation trainers within cleared grassed areas available at Mount Cotton Community Park.	<b>Mount Cotton Community Park</b> No change recommended

Submission #	Theme	Issue raised	Response	Recommendation
046 Birdlife Redlands and Brisbane Bayside branch	Shore bird habitat  Environ - mental values  Water based activities	<p>The submission is in relation to Oyster Point Park, GJ Walter Park, WH Yeo Park. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> these parks have mud/ sand flats used by migratory shorebirds and it is important that shorebirds aren't disturbed while feeding or roosting</li> <li><input type="checkbox"/> the use of these parks on a commercial scale to launch canoes and other water craft is of great concern. Other types of commercial activities could draw large numbers of people and could greatly disturb these birds as people, often with unleashed dogs, tend to want to walk down and out onto the mudflats</li> <li><input type="checkbox"/> Oyster Point is a small park with only a small area used as a high tide roost site by dozens of birds. This park definitely should not be used for any commercial activities</li> <li><input type="checkbox"/> there needs to be more done to protect these birds from all disturbance - the current sign about the shorebirds is in a position that can't be observed easily, while there is no sign down near the water about dogs</li> <li><input type="checkbox"/> Victoria Point Recreation Reserve: the bush next to the car park is used by large numbers of Bush Stone-curlews and would be seriously disturbed by large numbers of people.</li> <li><input type="checkbox"/> It is a concern that a large area of bushland and wetland at the back of the Caravan Park that has lots of native trees and other flora is to be made available for commercial uses. This flora would be trampled and damaged and the wildlife affected, possibly even killed.</li> </ul>	<p><b>Oyster Point Park</b> Refer to submission No.013</p> <p><b>G J Walter Park</b> Refer to submission No.002</p> <p><b>W H Yeo Park</b> Due to the conflicts with shorebird habitat and the practical limitations of high tide access the following water based temporary commercial activities should be excluded from W H Yeo Park:</p> <ul style="list-style-type: none"> <li>• commercial coaching programs (water based activities only) e.g. surf school, commercial triathlon</li> <li>• hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing</li> <li>• fishing charters, canoe and kayak tours.</li> </ul> <p>It is noted that other land - based commercial coaching programs (excluding large scale events) may be suitable for this site. Only small scale temporary commercial activities (not exceeding a footprint of 30m<sup>2</sup>) are now recommended for Oyster Point Park, G J Walter Park and WH Yeo Park. These activities are designed and intended to support existing park users and are not expected to attract large crowds.</p> <p><b>Victoria Point Recreation Reserve</b> Due to the lack of cleared areas and the diverse range of existing park activities only one (1) temporary commercial activity (not exceeding 30m<sup>2</sup>) is recommended for this reserve. Larger scale entertainment activities (e.g. open air cinemas, markets, catered wedding parties animal petting zoos) are proposed to be excluded. In this circumstance one small scale temporary commercial activity could be supported with minimal impact on environmental values and established park activities.</p> <p><b>Amity Point Recreation Reserve</b> Small scale temporary commercial activities can be considered for limited cleared areas along the foreshore. Any temporary commercial activities located on the eastern part of the reserve behind the caravan park would need to be accommodated within or adjacent to the cricket field outside of the drip line of existing trees away from heavily vegetated areas.</p>	<p><b>Oyster Point Park</b> Refer to submission No.013</p> <p><b>G J Walter Park</b> Refer to submission No.002</p> <p><b>W H Yeo Park</b> Removal of the following proposed uses for W H Yeo Park:</p> <ul style="list-style-type: none"> <li>• 'commercial coaching programs (water based activities only)</li> <li>• 'hire of non-motorised water craft e.g. canoes, paddle boards, wind surfers, kite surfing'</li> <li>• 'fishing charters', 'canoe and kayak tours'</li> </ul> <p><b>Victoria Point Recreation Reserve</b> No change recommended</p> <p><b>Amity Point Recreation Reserve</b> No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
047	General support	The submission is in regards to all of the sites and supports the proposal. In summary: it would provide a great community area for socialisation with friends, families & neighbours. Something that is missing from the Redlands and everyone needs to have an opportunity to make use of the parks including small groups and businesses.	General support for temporary commercial activities is acknowledged.	<b>All parks</b> No change recommended
048	Impacts on existing businesses	The submission is in relation to Wellington Point Recreation Reserve. In summary:  <input type="checkbox"/> the author runs an established food and beverage business at the reserve and would like to restrict other food trucks as it would have a big financial impact on the business.	<b>Impacts on existing businesses</b> Eligibility and assessment criteria require that food and beverage retailing be located a minimum of 200m from the existing café (Neighbourhood centre zone). A cleared grassed area in the south eastern portion of the reserve is located more than 200m from the existing café providing an opportunity for food and beverage retailing.  The application stage involves an expression of interest (EOI) process to select appropriate temporary commercial activities. The EOI criteria requires applicants to demonstrate how their food and beverage offering (menu) is different from nearby restaurants, cafes, take-away or food and drink outlets. These measures are in place to minimise impacts on the viability of nearby businesses.	<b>Wellington Point Recreation Reserve</b> No change recommended
049	General support	The submission is in relation to Cleveland Point Recreation Reserve and supports the proposal.	Refer to submission No.002  General support for temporary commercial activities is acknowledged.	<b>Cleveland Point Recreation Reserve</b> Refer to submission No.002
050	General support  Council owned park	The submission is in relation to Aquatic Paradise West Park (which is not an included park of the Land Management Plan) and supports the proposal. It is thought to be a great opportunity for building community and gives local small businesses visibility.	<b>Council owned park - Aquatic Paradise West</b> General support for temporary commercial activities is acknowledged. Aquatic Paradise West has been identified as a park that is potentially suitable for temporary commercial activities. However, the park is Council owned (not a state reserve) and therefore not subject to the LMP. It should be noted that the same eligibility and assessment criteria will apply to all commercial vendors seeking temporary commercial activities on Aquatic Paradise West through a separate process.	No change recommended



Submission #	Theme	Issue raised	Response	Recommendation
051	General support  Use and enjoyment	The submission is in relation to GJ Walter Park and Cleveland Point Recreation Reserve. The proposal is supported so long as the commercial activities aren't preventing others from using the spaces.	<b>Cleveland Point Recreation Reserve</b> Refer to submission No.2  <b>GJ Walter Park</b> Refer to submission No.2 and 20.	<b>Cleveland Point Recreation Reserve</b> Refer to submission No.2  <b>GJ Walter Park</b>
052	General support	The submission is in relation to Fielding Park which supports commercial activity such as a farmer's market and similar type events.	<b>Fielding Park</b> General support for temporary commercial activities including markets is acknowledged.	<b>Fielding Park</b> No change recommended
053	Scooters and bikes  Parking	The submission relates to Apex Park. In summary: <input type="checkbox"/> the park is already very busy and scooters or other devices would be dangerous for walkers, animals, runners and children <input type="checkbox"/> parking is limited and both Starkey Street and Old Cleveland Road East are very busy roads so additional people and vehicles in the area	<b>Bikes and scooters</b> Refer to submission No.023  <b>Parking</b> Refer to submission No.023	<b>Apex Park</b> Refer to submission No.023
054	General support  Additional infrastructure (power)  Council owned park	The submission supports the proposal and would like to see Thornlands Community Park considered for Temporary Commercial uses.  It is important to offer power as mentioned, and charging a fee is expected and most mobile vendors will be happy with this.  Many personal trainers are self-employed, and it would be amazing if council can offer to pay \$30-\$40 to trainers and other program facilitators in park to support them to keeping their participation fee's low and in turn encourage more of the community to get out and use these park spaces in our beautiful community.	<b>Council owned park</b> Thornlands Community Park has been identified as a park that is potentially suitable for up to three temporary commercial activities. However, the park is Council owned (not a state reserve) and therefore not subject to the LMP. It should be noted that the same eligibility and assessment criteria will apply to all commercial vendors seeking to undertake temporary commercial activities at Thornlands Community Park through a separate process.  <b>Additional infrastructure (power)</b> It should be noted that many of our parks and open spaces do not have power (general power outlets) and water (tap) available. In this regard Council's fact sheet outlining eligibility and assessment criteria encourages commercial vendors to rely on their own alternative sustainable power source and not require Council to provide additional infrastructure such as power and water. Where mains power is available and meets the needs of commercial vendors and can be shared with other park users an appropriate fee can be charged.  At this stage Council does not have a formal program that subsidises personal trainers and program facilitators to provide training sessions.	No change recommended

Submission #	Theme	Issue raised	Response	Recommendation
055	Limited space  Parking	<p>The submission is in relation to Cleveland Point Recreation Reserve. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the park has limited space to accommodate commercial activities</li> <li><input type="checkbox"/> does not support commercial activities taking up the space of general park users</li> <li><input type="checkbox"/> car parking is limited and picnic space is hard to find</li> <li><input type="checkbox"/> does not support commercial coaching programs at this location as 20m2-30m2 is a large percentage of the area at the Point, general public will have less space to enjoy</li> <li><input type="checkbox"/> the land should remain available for the public to use at any time.</li> </ul>	<p><b>Limited space</b> Refer to submission No.002</p> <p><b>Parking</b> Refer to submission No.002</p>	<p><b>Cleveland Point Recreation Reserve</b> Refer to submission No.002</p>
056	Selection process – EOI	<p>The submission is in relation to Henry Ziegenfusz Park. In summary it is agreed that temporary commercial operations during current sporting events would be good idea as long as the selection process is transparent and considers local business owners first.</p>	<p>General support for temporary commercial activities is acknowledged.</p> <p><b>Selection process – EOI</b> The application stage involves an expression of interest (EOI) process to select appropriate temporary commercial activities. The EOI criteria requires applicants to demonstrate how their food and beverage offering (menu) is different from nearby restaurants, cafes, take-away or food and drink outlets. These measures are in place to minimise impacts on the viability of nearby businesses.</p>	<p><b>Henry Ziegenfusz Park</b> No change recommended</p>
057	Local heritage values  Planning Intentions  Environmental values  Limited space	<p>The submission is in regards to the Coochiemudlo Island Foreshore parks. In summary the proposal is not supported:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the conservation zoning</li> <li><input type="checkbox"/> the areas have their own intrinsic value a non commercial use</li> <li><input type="checkbox"/> they are fragile environments and unsuitable for any concentrated activities</li> <li><input type="checkbox"/> under the proposed spatial guidelines there wouldn't be any space that could be utilised without causing extensive damage</li> <li><input type="checkbox"/> another concern is compliance – which doesn't seem to exist on the island.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p>

Submission #	Theme	Issue raised	Response	Recommendation
058	Fitness and recreation	The submission is in relation to Raby Bay Esplanade and is in support of the proposal. The submitter supports fitness classes and is keen to teach yoga for the 50+.	<b>Raby Esplanade Park</b> General support for temporary commercial activities including fitness and sports facilitators is acknowledged.	<b>Raby Esplanade Park</b> No change recommended
059	Food and beverage retailing	The submission is in relation to the Cylinder Beach Foreshore Park and is from a current commercial operator at the site. In summary, the submitter would like to see the current arrangements remain in place and is concerned that the proposal doesn't take into account the different operating times in the allocation of 3 commercial operators at this site.	<b>Food and beverage retailing</b> Refer to submission No.7.	<b>Cylinder Beach Foreshore Park</b> Refer to submission No.7.
060	Koala habitat  Shorebird habitat  Noise  Hours of operation	The submission is in relation to G J Walter Park, Oyster Point Park and Henry Ziegenfusz Park. In summary:  <input type="checkbox"/> there is concerns with the presence of koalas at G.J Walter Park and potential disturbance by a proposed commercial activity  <input type="checkbox"/> time limits are suggested around the high tide so as not to disturb migratory  <input type="checkbox"/> shorebirds and other waders while they are foraging  <input type="checkbox"/> concerns regarding the shorebirds during roosting season at Oyster Point Park and recommend that kayaks and boats should not be launched here  <input type="checkbox"/> concern over potential noise before 7am at Henry Ziegenfusz Park.	<b>Oyster Point Park</b> Refer to submission No.013  <b>G J Walter Park</b> Refer to submission No.002  <b>Henry Ziegenfusz Park</b> The proposed secondary uses are consistent with the park activities and are not expected to adversely affect koala and shorebird habitat. Noise and other impacts on nearby residents can be managed by ensuring commercial vendors: <ul style="list-style-type: none"><li>• are located at least 50m from residential lot boundaries</li><li>• are generally limited to the hours of 7am - 7pm Monday to Sunday and 8am – 7pm on Sunday and public holidays</li><li>• minimise adverse impacts through noise, odour, air, waste or light emissions</li><li>• avoid use of audio equipment, amplified music, excessively loud voice calls or instructions</li><li>• minimise excessive noise through the use of equipment</li><li>• limit regulated devices (e.g. compressors, generators) to hours that comply with <i>Queensland's Environmental Protection Act, 1994</i></li></ul> These requirements are included on Council's fact sheets and supported by conditions of approval and can be managed through the application and regulatory process.	<b>Oyster Point Park</b> Refer to submission No.013  <b>G J Walter Park</b> Refer to submission No.002  <b>Henry Ziegenfusz Park</b> No change recommended

Submission #	Theme	Issue raised	Response	Recommendation
061	Food and beverage retailing	The submission is in relation to Cylinder Beach Foreshore and supports temporary commercial use. It is thought that the existing traders have created a hub of food, social interaction, fitness and fun.	<b>Food and beverage retailing</b> Refer to submission No.7.	<b>Cylinder Beach Foreshore Park</b> Refer to submission No.7.
062	Non-support	The submission is in relation to Coochiemudlo Island Emerald Fringe and does not support temporary commercial activities.	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.  <b>Laurie Burns Recreation Reserve</b> Refer to submission No.001	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1  <b>Laurie Burns Recreation Reserve</b> No change recommended
063	Limited space	The submission is in relation to Fielding Park. In summary, it is thought that the Park is too small to have more than 1 personal trainer to be allocated to it.	<b>Limited space</b> The concerns raised by the submitter are acknowledged. Fielding Park has relatively large cleared areas that could be used by up to three temporary commercial activities.	<b>Fielding Park</b> No change recommended

Submission #	Theme	Issue raised	Response	Recommendation
064	Exclusive use  Attracting crowds  Parking  Food and beverage retailing	<p>The submission is in relation to Wellington Point Recreation Reserve and does not support any temporary commercial use of the park. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the parks are for public recreation use and should not exclude people by commercial ventures</li> <li><input type="checkbox"/> the park is already crowded every weekend from sunrise to after sunset</li> <li><input type="checkbox"/> there is already insufficient car and boat trailer parking</li> <li><input type="checkbox"/> there is concern that the mobile food and beverage retailers will be located in the boat trailer parking area which will take up the precious limited space that currently exists.</li> </ul>	<p><b>Exclusive use</b> Refer to submission No.65 in relation to concerns over exclusive use of parks and open spaces.</p> <p><b>Attracting crowds</b> It is recognized that Wellington Point Recreation Reserve is a popular T1 Destination Park providing a diversity of recreation activities (boat ramp, jetty, play experience, bathing area, picnic and BBQ facilities, public amenities, and exercise equipment) catering for high levels of visitation. In this instance a maximum of three temporary commercial activities limited to a small footprint of 30m<sup>2</sup> could be supported with minimal impact on park users and established activities. It is noted that larger entertainment activities such as children petting zoo, jumping castles and markets are excluded from this park. As such the proposed small scale temporary commercial activities are not expected to attract large crowds.</p> <p><b>Parking</b> Three small scale temporary commercial activities supporting existing park users are not expected to exacerbate current parking and traffic pressures.</p> <p><b>Food and beverage retailing</b> Food and beverage retailing will need to be located a minimum of 200m from the existing café (Neighbourhood centre zone) and therefore cannot be located within the existing boat trailer parking area.</p>	<b>Wellington Point Recreation Reserve</b> No change recommended
065	Use and enjoyment	<p>The submission is in relation to all of the parks and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> no commercial use must interfere with the use and enjoyment of a park by the general public.</li> </ul>	<p><b>All parks- use and enjoyment</b> The eligibility and assessment criteria are specifically designed to ensure temporary commercial activities maintain public open space for the use and enjoyment of all parks users. Temporary commercial activities must comply with the following criteria:</p> <ul style="list-style-type: none"> <li>• non-permanent and limited to temporary structures</li> <li>• secondary and subservient to the open space</li> <li>• non-exclusive</li> <li>• primarily serve existing park users</li> <li>• limited to an approval period of 12 months with the ability to re-apply on an annual basis.</li> </ul> <p>These requirements are included in Council's fact sheets, supported by conditions of approval and designed to avoid exclusive use and minimise impact on park users and current activities.</p>	<b>All parks</b> No change recommended

Submission #	Theme	Issue raised	Response	Recommendation
066	Non-support  Use and enjoyment  Food and beverage retailing  Parking	<p>The submission is in relation to all parks and does not support the proposal for temporary commercial activities. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> parks should be maintained for what they are for recreation and exercise. They suggest exercise groups obtain a FREE permit</li> <li><input type="checkbox"/> Maybe a coffee van in car park at the park behind Bunnings and larger parks.</li> <li><input type="checkbox"/> does not support permits in reserves or beach areas, or areas near cafes. Food vans are not supported, nor bike hire</li> <li><input type="checkbox"/> Kayak hire takes up space</li> <li><input type="checkbox"/> public parking is an issue at all waterfront and park areas. Public safety and space should come first.</li> </ul>	<p><b>Use and enjoyment</b> Refer to submission No.65 in relation to maintaining public open space for use and enjoyment for all park users. All parks identified as potentially suitable are limited to a maximum of three temporary commercial activities each not exceeding a footprint of 30m2. In some cases due to the lack of cleared areas or limited space only one (1) small scale temporary commercial use is supported.</p> <p><b>Food and beverage retailing</b> Refer to submission No.003 in relation to food and beverage retailing and minimising impacts on existing businesses.</p> <p><b>Parking</b> For the majority of parks three small scale temporary commercial activities supporting existing park users are not expected to exacerbate current parking and traffic pressures. Larger entertainment activities (open air cinemas, markets) are limited to a maximum of twice per week, or in the case of markets once per month. Additionally, where crowds in excess of 50 persons are anticipated through larger entertainment activities event traffic marshalls will be required as a condition of approval.</p> <p>These measures and limitations will assist in maintaining sufficient space, public safety, and managing parking and traffic impacts that may occur through temporary commercial activities.</p>	<b>All parks</b> No change recommended
067	Impact on existing businesses	<p>The submission is in relation to Coochiemudlo Island Main Beach and supports commercial activities that currently don't exist on the Island. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> there is concern over food businesses which may impact upon existing food businesses.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p>
068	Local heritage values  Environmental values	<p>The submission is in relation to Coochiemudlo Island and does not support the proposal due to the Heritage listing of the Emerald Fringe as well as being zoned conservation areas.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p> <p><b>Laurie Burns Recreation Reserve</b> Refer to submission No.001</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p> <p><b>Laurie Burns Recreation Reserve</b> No change recommended</p>



Submission #	Theme	Issue raised	Response	Recommendation
069	General support	The submission is in relation to Raby Bay Foreshore and as an existing commercial provider, supports the proposal.	General support for temporary commercial activities at Raby Bay Foreshore Park is acknowledged. A range of eligibility and assessment criteria will be applied to all future temporary commercial activities to maintaining public open space for use and enjoyment of all park users.	<b>Raby Bay Foreshore</b> No change recommended
070	General support	The submission is in relation to Jock Kennedy Park, Russell Island and is in support of the proposal.	General support for temporary commercial activities is acknowledged.	<b>Jock Kennedy Park</b> No change recommended
071	General support	The submission is in relation to all parks and is in support of the proposal. They are considering a commercial food and beverage operation. In summary: <input type="checkbox"/> it would bring the Redlands alive <input type="checkbox"/> it will increase tourism and local economy and overall experience.	General support for temporary commercial activities is acknowledged.	<b>All parks</b> No change recommended
072	Fees	The submission is in relation to G. J. Walter park, and Cleveland lighthouse.  Parks and facilities should be free to use subject to council approvals being granted. Why cant we use these facilities without further costs?	<b>Fees</b> The current fees are nominal and consistent with the fees charged by other Council's in South East Queensland. Council's Register of Fees 2020-2021 currently requires a fee based on a price on application. Fees will be reviewed on an annual basis to ensure a fair and consistent approach and will consider the scale, intensity and frequency of use. The fees are nominal and there to assist with recovering costs for assessment of the EOI and application including compliance and regulation.	<b>Cleveland Point Recreation Reserve</b> Refer to submission No.2  <b>GJ Walter Park</b> Refer to submission No.2 and 20.
073	Local heritage values  Environmental values	The submission is in relation to Coochiemudlo beaches and emerald fringe and does not support the proposal. In summary: <input type="checkbox"/> it would put more pressure on the fragile beaches/ dunes of Coochiemudlo island. <input type="checkbox"/> Erosion and loss of habitat is already too high.	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1

Submission #	Theme	Issue raised	Response	Recommendation
074	Environmental values	<p>The submission is in relation to Coochiemudlo Foreshore and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Coochiemudlo Island needs to be protected, not just for us but for mainland users</li> <li><input type="checkbox"/> Council should continue to work hard to protect the environment.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1</p>
075	<p>Council owned parks</p> <p>Fees</p>	<p>The submission is in relation to Wilson's Esplanade and Orana Esplanade. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> as long as the commercial activities do not prevent others from using the park</li> <li><input type="checkbox"/> concern that use may scare shorebirds from using the foreshore</li> <li><input type="checkbox"/> those doing activities that are currently free should not be charged, ie clubs using</li> <li><input type="checkbox"/> parks for activities such as exercise, picnics, photography, sport, playgrounds, dog exercising.</li> </ul>	<p><b>Council owned parks</b> General support for temporary commercial activities is acknowledged. A range of eligibility and assessment criteria will be applied to all future temporary commercial activities to protect environmental values and maintain public open space for use and enjoyment of all park users.</p> <p><b>Fees</b> A suitable fee will be applied to all commercial vendors approved to carry out temporary commercial activities. Fees will assist Council in recovering costs associated with assessment of applications, compliance and regulatory processes.</p>	<p>No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
076	Noise  Hours of operation  Traffic  Parking  Purpose of the reserve  Conflict with planning intentions  Maximum number of secondary uses	<p>The submission is in relation to Raby Esplanade Park and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the proposed uses are inconsistent with zoning for the area</li> <li><input type="checkbox"/> the proposed uses have the potential to increase traffic and illegal car parking issues</li> <li><input type="checkbox"/> the activities and hours of operation will change the ambience of the area</li> <li><input type="checkbox"/> the proposed uses are inconsistent with the purpose of the reserve defines 'Park[s]' for low-key recreational uses, with up to three (3) additional secondary uses</li> <li><input type="checkbox"/> there is concern regarding the potential hours of use are unreasonable when referencing the ambient theme of the neighbourhood</li> <li><input type="checkbox"/> it is thought that the commercial licenses for food and beverage, retailing, and tourism would be inconsistent with the zoning for the area as a proposed use of the Park.</li> <li><input type="checkbox"/> page 41 of the Draft Land Management Plan Consultation Document ("Draft Plan") proposes four (4) secondary uses of the park, exceeding the parks limit.</li> </ul>	<p><b>Noise, hours of operation, traffic and parking impacts</b> Refer to submission No. 16.</p> <p><b>Purpose of the reserve</b> The designated purpose of the reserve is 'park' which allows a range of low-key recreational uses. A maximum of three temporary commercial activities not exceeding a small footprint of 30m2 are proposed. Larger entertainment activities such as children petting zoo, jumping castles and markets are excluded from this park. In this circumstance small scale temporary commercial activities are considered to be ancillary and consistent with the 'park' purpose of the reserve and can be facilitated whilst maintaining use and enjoyment for all park users.</p> <p><b>Inconsistent with zoning</b> Raby Esplanade Park is a T3 neighbourhood park zoned recreation and open space. Given the temporary nature of the commercial activities the proposed secondary uses do not constitute development. As temporary and ancillary activities the proposed secondary uses support the passive and active recreational use of the land and are consistent with the purpose of the zone which is to provide for a range of sporting, recreation, leisure, cultural and educational activities.</p> <p><b>Maximum number of secondary uses</b> In accordance with p41 of the draft Land Management Plan the total number of proposed secondary uses are limited to three. However, it is recognized that temporary commercial activities can occur across four different categories comprising:</p> <ul style="list-style-type: none"> <li>• Food and beverage retailing</li> <li>• Fitness and recreation</li> <li>• Entertainment / other</li> <li>• Tourism based activities</li> </ul>	<p><b>Raby Esplanade Park</b> No change recommended</p>
077	Traffic  Parking	<p>The submission is in relation to Cleveland Point Recreation Reserve and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> there is already too much vehicle traffic and limited car parking to support additional use</li> </ul>	<p><b>Cleveland Point Recreation Reserve</b> Refer to submission No.002</p>	<p><b>Cleveland Point Recreation Reserve</b> Refer to submission No.002</p>

Submission #	Theme	Issue raised	Response	Recommendation
078	Overcrowded  Environmental values	The submission is in relation to Coochiemudlo Island Foreshore and is not supported. In summary: <input type="checkbox"/> Coochiemudlo is not a series of "parks" that need activation <input type="checkbox"/> the island needs sensitive management with allocated budget to address environmental degradation as acknowledged in the 2004 Land Management Plan <input type="checkbox"/> the Island is already suffering from an influx of tourists at peak times that can't be handled	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001.	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.1
079	Shorebird habitat  Koala habitat  Environmental values	The submission is in relation to Oyster Point, G.J. Walter Park and Henry Ziegenfusz Park and does not support the proposal in these locations. In summary: <input type="checkbox"/> Oyster Point is an invaluable roost for migratory shorebirds, with too much human related disturbance of shorebirds at already <input type="checkbox"/> Council should relocate the kayak launching site from Oyster Point Park to the southern end of Passage Street <input type="checkbox"/> the foreshore next to G.J. Walter Park is used by migratory shorebirds so there should be no commercial activities which increase the risk of these birds being disturbed <input type="checkbox"/> Koalas are found regularly in and near G.J. Walter Park so their protection should be considered <input type="checkbox"/> Henry Ziegenfusz Park supports diverse birdlife and wildlife including several Royal spoonbills. Swamp wallabies are seen near the Eddie Santagiuliana Way and koalas are sometimes in this park. There is no need for temporary commercial use at this park.	<b>Oyster Point Park</b> Refer to submission No.013  <b>G J Walter Park</b> Refer to submission No.002  <b>Henry Ziegenfusz Park</b> Recognising the environmental values Henry Ziegenfusz Park has available space and capacity to accommodate a maximum of three (3) temporary commercial activities. The eligibility and assessment criteria are designed to manage temporary commercial activities in a manner that respects and maintains koala habitat and sensitive environment values.	<b>Oyster Point Park</b> Refer to submission No.013  <b>G J Walter Park</b> Refer to submission No.002  <b>Henry Ziegenfusz Park</b> No change recommended

Submission #	Theme	Issue raised	Response	Recommendation
080	Exclusion of not-for-profit  Parks excluded from LMP  Leases / license to occupy	<p>The submission is for Pioneer Park on Lamb Island. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> concerns over the exclusion of not-for-profit and charities from applying for permits to operate in a commercial capacity</li> <li><input type="checkbox"/> concern as to why other council parks are not included in the Land Management Plan for example Pioneer Park on Lamb Island</li> <li><input type="checkbox"/> concern that some community organisations have Licence to Occupy over areas identified for potential temporary commercial operations (including the Lamb Island Community Gardens) without being informed of this draft Land Management Plan process or been given the opportunity to provide comment or input.</li> </ul>	<p><b>Pioneer Park – Lamb Island</b></p> <p>Not-for-profit or community organisations are not intended to be excluded from undertaking temporary commercial activities within specific parks and open spaces. The definition of temporary commercial activities will be amended to include not-for-profits and charities as highlighted below:</p> <p><b>Definitions</b>  <i>Temporary commercial activities includes commercial operators, <u>chairties or or not-for-profit organisations that provide goods or services within parks and open spaces identified in Council's draft LMP that:</u></i></p> <ul style="list-style-type: none"> <li>• involves a commercial benefit or transaction and is a registered business/ company with a current ABN/ACN</li> <li>• complements and aligns with the primary functions of the open space</li> <li>• is secondary and subservient to the open space</li> <li>• primarily serves existing park users</li> <li>• is non-permanent and limited to temporary structures</li> <li>• does not constitute assessable development under the Planning Act 2016</li> </ul> <p><b>Parks excluded from LMP</b></p> <p>Pioneer Park has been identified as a park that is potentially suitable for up to three temporary commercial activities. However, the park is Council owned (not a state reserve) and therefore not subject to the LMP. It should be noted that the same eligibility and assessment criteria will apply to all commercial vendors seeking to undertake temporary commercial activities at Pioneer Park through a separate process.</p> <p><b>Leases / license to occupy</b></p> <p>External consultants undertook a site assessment considering the purpose of the reserve and the suitability of the park for a range of temporary commercial activities. A broad range of matters were considered including whether sufficient areas are available outside of existing leases or licenses to occupy. It should be noted that all leaseholders were given the opportunity to comment on the draft LMP through a range of consultation measures such as local area marketing activities targeting neighbours and park users (e.g. installing signs at all state owned parks), as well as activities designed to create broad city wide awareness of the engagement (e.g. media releases, social media and display ads in the Redland City Bulletin).</p> <p>It is also noted that the eligibility criteria requires a commercial vendor provide the written agreement of the leasee (where the park or open space is affected by an existing lease or license to occupy).</p>	<p>Amend 'Fact Sheet No.2 – Temporary commercial activities (eligibility and assessment criteria)' to ensure the definition of temporary commercial activities include charities or not-for-profit organisations.</p>

Submission #	Theme	Issue raised	Response	Recommendation
081	<p>Council owned parks</p> <p>Food and beverage retailing</p> <p>Noise</p>	<p>The submission is in relation to Aquatic Paradise East and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> concern over why we need food vans, coffee vans or any other groups who don't live in the area and have no respect for residents</li> <li><input type="checkbox"/> why does open space have to be given over to business?</li> <li><input type="checkbox"/> such businesses require toilets and more parking and traffic.</li> </ul>	<p><b>Council owned parks - Aquatic Paradise East</b></p> <p>Aquatic Paradise East has been identified as a park that is potentially suitable for temporary commercial activities. However, the park is Council owned (not a state reserve) and therefore is not subject to the LMP. It should be noted that the same eligibility and assessment criteria will apply to all commercial vendors seeking temporary commercial activities on Aquatic Paradise West through a separate process.</p> <p>In this instance a maximum of three temporary commercial activities limited to a small footprint of 30m2 could be supported with minimal impact on parking, traffic, established activities and park users. It is noted that larger entertainment activities such as children petting zoo, jumping castles and markets are excluded from this park.</p> <p>Noise and other impacts on nearby residents can be managed by ensuring commercial vendors:</p> <ul style="list-style-type: none"> <li>• are located at least 50m from residential lot boundaries</li> <li>• are generally limited to the hours of 7am - 7pm Monday to Sunday and 8am – 7pm on Sunday and public holidays</li> <li>• minimise adverse impacts through noise, odour, air, waste or light emissions</li> <li>• avoid use of audio equipment, amplified music, excessively loud voice calls or instructions</li> <li>• minimise excessive noise through the use of equipment</li> <li>• limit regulated devices (e.g. compressors, generators) to hours that comply with <i>Queensland's Environmental Protection Act, 1994</i></li> </ul> <p>These requirements are included on Council's fact sheets and supported by conditions of approval and can be managed through the application and compliance process.</p>	No change recommended



Submission #	Theme	Issue raised	Response	Recommendation
082		<p>The submission is in relation to Henry Ziegenfusz Park and Aquatic Paradise park East (not listed) and is not supported. In summary:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> additional commercial use to these areas will have a negative impact on residents</li><li><input type="checkbox"/> accessibility and parking are insufficient to support such use. Residents will be impacted by increased traffic, noise, pollution</li><li><input type="checkbox"/> Ziegenfusz park surrounds already an issue during park run with an excessive amount of cars parked</li><li><input type="checkbox"/> commercial use of parklands in the CBD is supported as these areas will have a minimal impact on residents and already have facilities and parking to support additional use.</li></ul>	<p><b>Henry Ziegenfusz Park</b> Refer to submission No.079</p> <p><b>Aquatic Paradise East</b> Refer to submission No.081</p>	<p><b>Henry Ziegenfusz Park</b> Refer to submission No.079</p> <p><b>Aquatic Paradise East</b> Refer to submission No.081</p>

Submission #	Theme	Issue raised	Response	Recommendation
083	Peace and quite  Commercial use  Rubbish / litter  Parking	<p>This submission is in relation to all sites and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> parks are used because they are peaceful open spaces. COVID-19 demonstrated how important open space is not coffee vans</li> <li><input type="checkbox"/> parks are for the community not business to make money</li> <li><input type="checkbox"/> commercial activity will bring parking problems, demand for toilets, more rubbish.</li> </ul>	<p><b>Peace and quite</b> There are a number of restrictions on noise, hours of operation, exclusion of larger entertainment activities (due to limited space), footprint, number and frequency of the proposed secondary uses. These requirements are included on Council's fact sheets and supported by conditions of approval and can be managed through the application and compliance process. Given these restrictions the proposed temporary commercial activities are not expected to have a significant effect on the peace and tranquility of Council parks.</p> <p><b>Commercial use</b> A range of eligibility and assessment criteria require temporary commercial activities to:</p> <ul style="list-style-type: none"> <li>• be secondary and subordinate to the primary recreation and ecological functions of the park</li> <li>• primarily serve existing park users</li> </ul> <p>These limitations do not permit temporary commercial activities to be stand-alone businesses that are unrelated to park activities. Further restrictions are applied to the type of activity, scale (footprint) or frequency of use ensuring that all proposed temporary commercial activities are consistent with the purpose of each reserve. Council officers will assess future applications to ensure all commercial vendors comply with these requirements which are included in Council's fact sheets.</p> <p><b>Rubbish / litter</b> The assessment and legibility criteria requires that all commercial vendors use their own bins and ensure waste generated by their activity is collected and removed from the site. Council has a regular maintenance schedule for all recreation parks that addresses mowing, weeding and litter control.</p> <p><b>Parking</b> For the majority of parks three small scale temporary commercial activities supporting existing park users are not expected to exacerbate current parking pressures. Where larger entertainment activities (e.g. open air cinemas, markets) are proposed they are limited to a maximum of twice per week, or in the case of markets once per month. Additionally, where crowds in excess of 50 persons are anticipated through larger entertainment activities event traffic marshalls will be required as a condition of approval. These measures and limitations will assist in managing parking and traffic issues that may occur through temporary commercial activities.</p>	No change recommended

Submission #	Theme	Issue raised	Response	Recommendation
084	<p>Koala and shore bird habitat</p> <p>Current park activities</p> <p>Displacing current park activities</p> <p>Council owned park - Beth Boyd Park</p>	<p>The submission is in relation to Oyster Point Park and does not support the proposal.</p> <p>In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Oyster Point is a quiet, small park which is home to koalas, shore birds and resident wader birds. It has a special ambiance and the existing uses suit it well</li> <li><input type="checkbox"/> commercial activities would bring noise, disturb the roosting and foraging birds and remove some of the existing community uses of the park</li> </ul> <p>Similar comments would apply to commercial use in the following parks:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> G J Walter Park</li> <li><input type="checkbox"/> W H Yeo Park</li> <li><input type="checkbox"/> Beth Boyd Park</li> <li><input type="checkbox"/> Coochiemudlo Parks.</li> </ul>	<p><b>Coochiemudlo Foreshore East and West Parks,</b> Refer to submission No.001</p> <p><b>Laurie Burns Recreation Reserve</b> Refer to submission No.001</p> <p><b>Oyster Point Park</b> Refer to submission No.013</p> <p><b>Displacing current park activities</b> Due to the number of restrictions on noise, size and footprint the proposed small scale temporary commercial activities are not expected to displace any current park activities or visitors that use the park for passive recreation.</p> <p><b>G J Walter Park</b> Refer to submission No.002 and No.011</p> <p><b>WH Yeo</b> Refer to submission No.001</p> <p><b>Council owned park - Beth Boyd Park</b> Beth Boyd Park has been identified as a park that is potentially suitable for temporary commercial activities. However, the park is Council owned (not a state reserve) and therefore not subject to the LMP. It should be noted that the same eligibility and assessment criteria will apply to all commercial vendors seeking temporary commercial activities on Beth Boyd Park through a separate process.</p> <p>Beth Boyd is limited to high tide water access. Due to the sensitive shorebird habitat adjoining the park, challenges associated with water access during low and mid-tide and lack of established launch facilities non-motorised water based activities should be excluded from this park.</p>	<p><b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001</p> <p><b>Oyster Point Park</b> Refer to submission No.013</p> <p><b>G J Walter Park</b> Refer to submission No.002 and No.011</p> <p><b>WH Yeo</b> Refer to submission No.001</p> <p><b>Beth Boyd Park</b> No change recommended. Restricting non-motorised water based activities will occur through a separate process.</p>

Submission #	Theme	Issue raised	Response	Recommendation
085	Local heritage values  Limited space	The submission is in relation to Coochiemudlo Island Foreshore East and West Parks and does not support the proposal. In summary: <input type="checkbox"/> the area is Heritage listed and part of our Emerald Fringe <input type="checkbox"/> the areas do not qualify 50 metre from a residential, 200 metres from a business lot line, outside the drip line of established trees	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001
086	Noise  Rubbish / litter	The submission is in relation to Stradbroke Island and does not support the proposal. In summary: <input type="checkbox"/> there should be no distractions and noise from commercial operators <input type="checkbox"/> rubbish from food vans is also a problem	<b>Noise</b> Refer to submission No.16.  <b>Rubbish / litter</b> Refer to submission No.83.	No change recommended
087	General support	The submission is in relation to all sites and supports the proposal.	General support for temporary commercial activities is acknowledged.	No change recommended
088	Local heritage values  Environmental values	The submission is in relation to Coochiemudlo Island foreshore and is not supportive of the proposal. In summary: <input type="checkbox"/> the proposed use does not benefit the majority of residents and will cause degradation of the Emerald Fringe and sand dunes <input type="checkbox"/> the Emerald Fringe has been declared a heritage site and should remain as intended.	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001	<b>Coochiemudlo Foreshore East and West Parks</b> Refer to submission No.001

Submission #	Theme	Issue raised	Response	Recommendation
089	Non – motorized watercraft  Over –use	<p>The submission is in relation to Wellington Point Recreation Reserve and does not support the proposal. In summary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the hire of motorised craft - canoes, paddle boards, surfers, kite surfing; and commercial canoe and kayak tours is not supported</li> <li><input type="checkbox"/> the reserve is already suffering from over use</li> <li><input type="checkbox"/> migratory birds feed at low tide on the mud and sand flats and along the shoreline and are already being disturbed by reserve users, water-craft and dogs</li> <li><input type="checkbox"/> commercial businesses will encourage over - use of the reserve and disturbance of the migratory birds</li> </ul>	<p><b>Non – motorized watercraft</b></p> <p>Wellington Point Recreation Reserve is a popular T1 Destination Park providing a diversity of recreation activities (boat ramp, jetty, play experience, bathing area, picnic and BBQ facilities, public amenities, and exercise equipment) and caters for very high levels of visitation. In this instance hire of non-motorised water craft is appropriate at a T1 Destination Park which is also identified as an all tides access location with established launch facilities. (Refer to Council's webpage identifying canoe and kayak launch points).</p> <p><b>Over – use</b></p> <p>Given the parks classification as a T1 Destination Park and the significant water based recreation activities that currently occur (boat ramps, jetty) an additional three small scale temporary commercial activities limited to a small footprint of 30m<sup>2</sup> could be supported with minimal impact on park users and shorebird habitat.</p> <p>The proposed small scale temporary commercial activities are not expected to attract large crowds or adversely affect the use and enjoyment by other park users.</p>	<p><b>Wellington Point Recreation Reserve</b></p> <p>No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
090	Water based activities  Shorebird habitat	<p>The submission is in relation to Wellington Point Reserve; Beth Boyd Park; G J Walter Park; WH Yeo Park and Oyster Point Park and does not support the proposal. In summary:</p> <p><input type="checkbox"/> the proposal for non-motorised craft and canoe and kayak tours is not supported because of their impact on the feeding and roosting of migratory shorebirds, non-migratory sea birds and resident shore birds</p>	<p><b>Wellington Point Recreation Reserve</b> Refer to submission No.089</p> <p><b>Oyster Point Park</b> Refer to submission No.013</p> <p><b>G J Walter Park</b> Refer to submission No.002 and No.011</p> <p><b>WH Yeo</b> Refer to submission No.001</p> <p><b>Beth Boyd Park</b> Refer to submission No.084</p>	<p><b>Wellington Point Recreation Reserve</b> Refer to submission No.089</p> <p><b>Oyster Point Park</b> Refer to submission No.013</p> <p><b>G J Walter Park</b> Refer to submission No.002 and No.011</p> <p><b>WH Yeo</b> Refer to submission No.001</p> <p><b>Beth Boyd Park</b> Refer to submission No.084</p>



Submission #	Theme	Issue raised	Response	Recommendation	
091	Definitions	The submission is in relation to all sites. In summary: <div><div><div><div></div></div><div>The definitions are very vague e.g. complements and aligns with the primary functions. As we have seen temporary commercial in Redlands can be anything from a coffee van to major entertainment events.</div></div><div><div></div></div><div>defining what temporary commercial will be allowed</div><div><div></div></div><div>desire for the outlining of an open and transparent process for residents to object prior to granting licenses including a complaints process and plan if issues arise.</div></div>	<b>Definitions</b> The definition of temporary commercial activity is identified within Council’s fact sheet (available on the website and ‘have your say webpage) and includes the following.  <b>Temporary commercial activities</b> include a commercial operator, <u>charity or not-for-profit organization</u> that provides goods or services within parks and open spaces identified in Council’s draft LMP that: <ul style="list-style-type: none"><li>• involves a commercial benefit or transaction and is a registered business/ company with a current ABN/ACN</li><li>• complements and aligns with the primary functions of the open space</li><li>• is secondary and subservient to the open space</li><li>• primarily serves existing park users</li><li>• is non-permanent and limited to temporary structures</li><li>• does not constitute assessable development under the Planning Act 2016.</li></ul> Council’s fact sheet provides specific examples of temporary commercial activities as follows.	No change recommended	
	Complaints process		<table><tr><td><b>Food and beverage retailing</b><ul style="list-style-type: none"><li>• mobile beverage vendors</li><li>• mobile coffee vendors</li><li>• mobile food vendors</li><li>• street food</li><li>• all uses not to exceed 20-30m2</li></ul></td><td><b>Fitness and Recreation</b><ul style="list-style-type: none"><li>• personal trainers and sports coaches instructing more than 5 people</li><li>• health and wellbeing eg) yoga, Tai chi</li><li>• fitness trainers eg) box fit, boot camps</li><li>• commercial coaching programs eg) surf school, commercial triathlon/cycle</li><li>• hire of non-motorised water craft eg) canoes, paddle boards, wind surfers, kite surfing</li><li>• bike hire</li><li>• all uses not to exceed 20-30m2</li></ul></td><td><b>Entertainment / other</b><ul style="list-style-type: none"><li>• children’s petting zoo</li><li>• jumping castles</li><li>• markets (that do not exceed a frequency of one / month)</li><li>• open air cinema</li><li>• wedding ceremonies involving a catered event</li><li>• small scale commercial promotion or entertainment uses e.g. busking, face painting, magicians and entertainers of children’s birthday parties not exceed 20-30m2</li></ul></td><td><b>Tourism based activities</b><ul style="list-style-type: none"><li>• Indigenous and cultural tours</li><li>• fishing charters</li><li>• canoe and kayak tours</li><li>• all uses not to exceed 20-30m2</li></ul></td></tr></table>		<b>Food and beverage retailing</b> <ul style="list-style-type: none"><li>• mobile beverage vendors</li><li>• mobile coffee vendors</li><li>• mobile food vendors</li><li>• street food</li><li>• all uses not to exceed 20-30m2</li></ul>
<b>Food and beverage retailing</b> <ul style="list-style-type: none"><li>• mobile beverage vendors</li><li>• mobile coffee vendors</li><li>• mobile food vendors</li><li>• street food</li><li>• all uses not to exceed 20-30m2</li></ul>	<b>Fitness and Recreation</b> <ul style="list-style-type: none"><li>• personal trainers and sports coaches instructing more than 5 people</li><li>• health and wellbeing eg) yoga, Tai chi</li><li>• fitness trainers eg) box fit, boot camps</li><li>• commercial coaching programs eg) surf school, commercial triathlon/cycle</li><li>• hire of non-motorised water craft eg) canoes, paddle boards, wind surfers, kite surfing</li><li>• bike hire</li><li>• all uses not to exceed 20-30m2</li></ul>	<b>Entertainment / other</b> <ul style="list-style-type: none"><li>• children’s petting zoo</li><li>• jumping castles</li><li>• markets (that do not exceed a frequency of one / month)</li><li>• open air cinema</li><li>• wedding ceremonies involving a catered event</li><li>• small scale commercial promotion or entertainment uses e.g. busking, face painting, magicians and entertainers of children’s birthday parties not exceed 20-30m2</li></ul>	<b>Tourism based activities</b> <ul style="list-style-type: none"><li>• Indigenous and cultural tours</li><li>• fishing charters</li><li>• canoe and kayak tours</li><li>• all uses not to exceed 20-30m2</li></ul>		

Submission #	Theme	Issue raised	Response	Recommendation
			<p>Additionally, the draft LMP specific identifies the number and type of temporary commercial activities deemed suitable for the reserve.</p> <p><b>Complaints process</b> Detailed information has been provided to the community in regard to the nature and type of temporary commercial activities including eligibility and assessment criteria. Any complaints received will be addressed through Council's regulatory, application and compliance processes.</p>	
092	Commercial use	The submission is in relation to Henry Ziegenfusz Park and does not support more commercial activities over and above current activities.	<p><b>Commercial use</b> Recognising the current sport and recreation activities Henry Ziegenfusz Park has available space and capacity to accommodate a maximum of three (3) temporary commercial activities. The eligibility and assessment criteria are designed to manage temporary commercial activities in a manner that maintains current park activities.</p> <p>There are a number of restrictions on noise, hours of operation, footprint, number and frequency of the proposed secondary uses. These requirements are included on Council's fact sheets and supported by conditions of approval and can be managed through the application and compliance process. These restrictions will maintain existing recreation and sport activities, and use and enjoyment of the park for all visitors.</p>	<p><b>Henry Ziegenfusz Park</b> No change recommended</p>
093	Impacts on existing businesses	The submission is in relation to all parks. In summary, no existing bricks and motor business should be affected by any temporary business	<p><b>Impacts on existing businesses</b> Refer to submission No.011</p>	<p><b>All parks</b> No change recommended</p>

Submission #	Theme	Issue raised	Response	Recommendation
094 Queensland Government Department of Resources	Examples of 'commercial promotion'  Mapping corrections	<p>The Department of Resources have raised the following issues:</p> <ul style="list-style-type: none"> <li>□ There are no examples provided in the LMP that help define 'commercial promotion'.</li> <li>□ The LMP generally only uses the real property description of one parcel when describing the site. This may lead to confusion in identification of the area to which the LMP may be applied.</li> <li>□ The Trustee Parks – Buffer and Zone Maps show site boundaries that differ from the State endorsed cadastral boundaries (DCDB) for those boundaries that adjoin water and may be ambulatory boundaries. The LMP identified area of these sites vary from the DCDB. Should the boundary be ambulatory and have been recently surveyed, Council should seek to have the boundary amended prior to its use in an endorsed Council document.</li> <li>□ It is noted that the Trustee Parks mapping, which contains information that would be useful to potential applicants, is not referenced in the LMP, instead the LMP provides simple aerial images in Appendix B that are of less benefit.</li> <li>□ As a general note, the area to which the LMP may grant an individual permit is identified as a maximum of 20m<sup>2</sup> to 30m<sup>2</sup>. It is unusual to have a range of values as a maximum point.</li> </ul>	<p><b>Definitions and sub-types – temporary commercial activities</b> Initially, the draft LMP sought to amend the sub-type of "commercial promotion" and re-define it as a "small scale commercial promotion" that would not exceed 20-30m<sup>2</sup>. However, due to the broad nature and uncertainty in providing clear examples of 'commercial promotion' this temporary commercial activity sub-type has since been removed from the definitions.</p> <p><b>Real Property Description of Parks</b> The draft LMP has since been amended to accurately describe all lots and part lots that identify the relevant parks or reserves.</p> <p><b>Alignment with DCDB</b> Council's Spatial Business Intelligence Unit updates Council's property information (property boundaries and related property description) to align with the Queensland Government's digital cadaster database (DCDB). This is an ongoing process that also occurs where the property adjoins an ambulatory boundary such as a natural water body (Moreton Bay) or where the property was subject to a recent survey. Minor updates have since been made to ensure the lot boundaries of parks identified through the draft LMP are consistent with the Queensland Governments DCDB.</p> <p><b>Trustee Mapping</b> The draft LMP (Appendix B) has since been updated to replace the aerial images of parks with Council's maps. The updated mapping provides a clearer illustration of relevant parks and reserves including 50m separation distance (buffers) from adjoining residential property boundaries, and Council owned freehold land that are excluded from the LMP.</p> <p><b>Footprint – small scale uses</b> The initial draft LMP indicated that all small scale temporary commercial activities could not exceed a footprint or designated area of 20m<sup>2</sup>-30m<sup>2</sup>. In the majority of cases 20m<sup>2</sup> would not be adequate to allow commercial vendors to conduct their business, especially mobile food or beverage vans that require space for temporary outdoor tables and seating. As such it is considered reasonable to specify a maximum footprint of 30m<sup>2</sup> for small scale temporary commercial activities.</p>	<p><b>Draft LMP</b> Amend <i>Table 01: Temporary Commercial Activity Categories</i> under Section 5.0 <i>'Proposed Uses of the Trustee Land'</i> to remove 'commercial promotion' as a proposed secondary use.</p> <p>Amend Section 6.0 <i>'Individual Site Details'</i> removing all references to 'commercial promotion'.</p> <p><b>Fact Sheet No.2</b> Amend Table 1: <i>'Temporary commercial activities – broad types and categories'</i> to remove 'commercial promotion' as a proposed secondary use.</p>

**16 NOTICES OF INTENTION TO REPEAL OR AMEND A RESOLUTION**

Nil

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**17 NOTICES OF MOTION**

Nil

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**18 URGENT BUSINESS WITHOUT NOTICE**

Nil

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**19 CONFIDENTIAL ITEMS****MOTION TO MOVE INTO CLOSED SESSION AT 12.38PM****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/157**

Moved by: Cr Tracey Huges

Seconded by: Cr Paul Bishop

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J of the *Local Government Regulation 2012*.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**19.1 Review of Redlands Economic Development and Investment Attraction**

This matter is considered to be confidential under Section 254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**Overview**

To respond to and close out Council's Resolution of 16 December 2020 "Reviewing the Future Operations of Redland Investment Corporation Pty Ltd and the Economic Development Advisory Board"; and "to enable further work to be undertaken to transition to a new operating model for placemaking, investment attraction and economic development."

**19.2 New Land Tourism Pty Ltd v Redland City Council (Planning and Environment Court Appeal 4312/2019)**

This matter is considered to be confidential under Section 254J(3)(e) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

**Overview**

To provide Council with an update on a Planning and Environment Court Appeal and set out the relevant information to enable Council to consider its position in the appeal.

**19.3 Future Use of Community Facilities Zone for Community Services, Capalaba**

This matter is considered to be confidential under Section 254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**Overview**

To endorse a lease for future use of community facilities zone for community services in Capalaba.

**19.4 Delegated Authority - Raby Bay Canal Revetment Wall Upgrade Program**

This matter is considered to be confidential under Section 254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**Overview**

To delegate authority to the Chief Executive Officer (CEO), under s.257(1)(b) of the *Local Government Act 2009* to make, vary and discharge a contract over \$2.0M (including GST) for the Raby Bay Canal revetment wall upgrade Program.

**19.5 Sub-Regional Waste Alliance - Shortlisted Solutions Evaluation (HEW/05/2018)**

This matter is considered to be confidential under Section 254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**Overview**

To seek endorsement to progressing to the next phase of the Sub Regional Waste Alliance as recommended in the Shortlisted Solutions Operating Parameter Evaluation Report.

**MOTION TO MOVE INTO OPEN SESSION AT 2.41PM****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/158**

Moved by: Cr Mark Edwards

Seconded by: Cr Rowanne McKenzie

That Council moves out of Closed Council into Open Council.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**19.1 REVIEW OF REDLANDS ECONOMIC DEVELOPMENT AND INVESTMENT ATTRACTION****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/159**

Moved by: Cr Peter Mitchell

Seconded by: Cr Rowanne McKenzie

That Council resolves as follows:

1. To note that the Economic Development Advisory Board has achieved its objectives and will be discontinued.
2. To acknowledge the members of the Economic Development Advisory Board and thank them for their contribution in setting the foundations and frameworks to drive the Redlands economy.
3. To acknowledge the work of Redland Investment Corporation in the progress of the masterplans for the Toondah Harbour and Weinam Creek PDAs and the facilitation of various property projects.
4. That Council prepares a Transition Plan to a future operating model that will transform Council's approach toward economic development, placemaking, investment attraction, and advocacy, incorporating multi-year funding.
5. That Redland Investment Corporation complete existing (but not start new) property development and other projects which are outside of the Toondah Harbour and Weinam Creek PDAs and Capalaba Town Centre project whilst the Transition Plan is in development.
6. That the Redland Investment Corporation Board review its operating model with regard to the Transition Plan that also considers Council's equity position in the company.
7. That this report remains confidential, subject to maintaining the confidentiality of legally privileged and commercial-in-confidence information.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**19.2 NEW LAND TOURISM PTY LTD V REDLAND CITY COUNCIL (PLANNING AND ENVIRONMENT COURT APPEAL 4312/2019)****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/160**

Moved by: Cr Mark Edwards

Seconded by: Cr Rowanne McKenzie

That Council resolves as follows:

1. To provide draft conditions to facilitate the parties reaching agreement on the final conditions of approval.
2. To instruct its solicitors to pursue a satisfactory resolution of the remaining issues on the basis that the parties bear their own costs.
3. To maintain this report and attachments as confidential until the conclusion of the appeal, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**19.3 FUTURE USE OF COMMUNITY FACILITIES ZONE FOR COMMUNITY SERVICES, CAPALABA****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/161**

Moved by: Cr Peter Mitchell

Seconded by: Cr Wendy Boglary

That Council resolves as follows:

1. To dispose of a portion of the site at Capalaba as a valuable non-current asset, other than by tender or auction to a community organisation and that the exception under s236(1)(b)(ii) of the *Local Government Regulation 2012* be applied.
2. To endorse an in principle lease for an appropriate term to the nominated community organisation as the recipient of the disposed portion of the site.
3. To authorise the Chief Executive Officer to negotiate, make, vary and discharge the contract and sign all associated documentation.
4. That this report and attachments remain confidential until such a time as required by any legal or statutory obligation, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**19.4 DELEGATED AUTHORITY - RABY BAY CANAL REVETMENT WALL UPGRADE PROGRAM****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/162**

Moved by: Cr Wendy Boglary

Seconded by: Cr Peter Mitchell

That Council resolves as follows:

1. To delegate the authority to the Chief Executive Officer under section 257(1)(b) of *the Local Government Act 2009* to make, vary and discharge a contract over \$2.0M (including GST) with the preferred tenderer and to negotiate, make, vary and discharge the contract for Raby Bay Canal revetment wall upgrade Program in accordance with the agreed contract terms and conditions, and sign all relevant documentation.
2. That this report remains confidential until the contract is awarded and details published in accordance with legislative requirements, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.



**19.5 SUB-REGIONAL WASTE ALLIANCE - SHORTLISTED SOLUTIONS EVALUATION (HEW/05/2018)****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2021/163**

Moved by: Cr Tracey Huges

Seconded by: Cr Paul Bishop

That Council resolves as follows:

1. To progress to the Early Tenderer Involvement Phase for the Solution Type 1 - Material Recovery Facilities with the respondents identified in Schedule 1 of the attached confidential Shortlisted Solutions Operating Parameter Evaluation Report, subject to minimum ongoing participation thresholds being reached as a result of the decisions of other Sub-Regional Waste Alliance Councils.
2. That all expressions of interest identified in Schedule 2 and Schedule 3 of the attached confidential Shortlisted Solutions Operating Parameter Evaluation Report be set aside, and not considered further for a sub-regional solution.
3. That the Chief Executive Officer notify the Chief Executive Officer of Logan City Council in writing of its decisions in relation to the Sub-Regional Waste Alliance Shortlisted Solutions Evaluation report.
4. That this report and attachment remain confidential until any contract resulting from this potential procurement process is awarded or otherwise details published in accordance with legislative requirements, subject to maintaining the confidentiality of legally privileged private and commercial in confidence information.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Rowanne McKenzie, Tracey Huges, Adelia Berridge and Paul Bishop voted FOR the motion.

**20 MEETING CLOSURE**

The Meeting closed at 2.43pm.

The minutes of this meeting were confirmed at the General Meeting held on 21 July 2021.



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**CHAIRPERSON**