

NOTICE OF MEETING & AGENDA

Special Meeting

Wednesday 1 December 2021

Roma Administration Centre

NOTICE OF MEETING

Date: 29 November 2021

Mayor:

Councillor T D Golder

Deputy Mayor:
Councillors:

Councillor G B McMullen
Councillor J R P Birkett
Councillor M C Edwards
Councillor J L Guthrie
Councillor J M Hancock
Councillor W L Ladbrook
Councillor C J O'Neil
Councillor W M Taylor

Chief Executive Officer:

Ms Julie Reitano

Executive Management:

Mr Rob Hayward (Deputy Chief Executive Officer/Director
Development, Facilities & Environmental Services)
Ms Sharon Frank (Director Corporate & Community Services)

Attached is the agenda for the **Special Meeting** to be held at the Roma Administration Centre on **1 December, 2021 at 2.00PM**



Julie Reitano
Chief Executive Officer

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Confidential Items

In accordance with the provisions of section 254J(3) of the Local Government Regulation 2012, a local government may resolve to close a meeting to the public to discuss confidential items that it's Councillors or members consider it necessary to close the meeting.

C Confidential Items

C.1 Interim Chief Executive Officer Position

Classification: Closed Access

Local Government Regulation 2012 Section 254J(3)(a) the appointment, discipline or dismissal of the chief executive officer.

Closure

OFFICER REPORT

Meeting: Special 1 December 2021

Date: 26 November 2021

Item Number: 6.1

File Number: D21/95152

SUBJECT HEADING: Delegations Review - Local Government Act 2009

Classification: Open Access

Officer's Title: (Acting) Director - Corporate Services

Executive Summary:

A review of the delegations of Council powers has commenced based on the new Organisational Structure and the operating local model including the proposed sub-delegations to the new Local Area Director and Overseer positions.

As part of the initial review work, an opportunity has been identified to use LGAQ's Delegations Register Service which is available at no cost to Council through Council's annual subscription.

The service provides a register of all possible delegations from Council to the Chief Executive Officer for State legislation impacting on Local Government.

This report seeks Council's approval for the delegation of Council powers under the *Local Government Act 2009* to the position of Chief Executive Officer (using the new template register). The next step will be to sub delegate to the relevant officers.

Officer's Recommendation:

That all powers referred to in the document titled 'Register of Delegations – Council to CEO – Local Government Act 2009' attached to this report, are hereby delegated by Council to the Chief Executive Officer of Council pursuant to section 257 of the *Local Government Act 2009*.

All prior resolutions delegating the powers under the *Local Government Act 2009* to the Chief Executive Officer are repealed.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Maranoa Regional Council

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

Acronym	Description
LGAQ	Local Government Association of Queensland

Context:

Why is the matter coming before Council?

A review of the delegations register has commenced in line with the new Organisational Structure. This process has identified an opportunity to use the LGAQ Delegations Register Service.

The service will provide the following:

- Cost savings – the service is at no cost as it is accessible through Council's annual subscription to LGAQ
- The new registers provide more detailed delegated powers.
- The delegable powers will provide a delegation framework in a single register per piece of legislation that will support Council's operating local model, including sub delegations to the Local Area Directors and Overseers.

The Register of Delegations – Council to CEO attached are as per the template tables, with the exception of some conditions and identification of powers not proposed to be delegated.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

Council is vested with the power to make a range of decision and various actions under legislation and other statutory instruments. Council derives those powers from State law, such as the *Local Government Act 2009*.

Section 257 of the *Local Government Act 2009* allows Council, by resolution, to delegate its powers under State and other laws to the Chief Executive Officer.

The delegation of a Council's power does not involve Council parting with or surrendering those powers. Council continues to retain all powers which are the subject of delegation. A delegation involves the "sharing" of power, so that both Council and the Chief Executive Officer can exercise the same power.

Other important legal principles which apply to the delegation proposal set out in the report are:

- a) Council at all times retains the power to revoke the delegation. Accordingly Council retains ultimate control.
- b) Council, as the delegator, still has responsibility to ensure that the relevant power is properly exercised. Council will therefore continue to supervise and oversee the exercise of its powers.
- c) A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council to impose checks and balances on its delegations. However, as with any vesting power, the delegated power cannot be unduly fettered.
- d) The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.
- e) A local government must not delegate a power that an Act states must be exercised by resolution.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration? (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

This report has been provided in compliance with section 257 of the *Local Government Act 2009*, which allows for the Local Government, by resolution, to delegate power under the *Local Government Act 2009* and any other act to the Chief Executive Officer.

Local Government Act 2009

257 Delegation of local government powers

(1) A local government may, by resolution, delegate a power under this Act or another Act to -

(a) the mayor; or

(b) the chief executive officer; or

(c) a standing committee, or joint standing committee, of the local government; or

(d) the chairperson of a standing committee, or joint standing committee, of the local government; or

(e) another local government, for the purposes of a joint government activity.

The only employee Council can delegate a local government power to is the Chief Executive Officer.

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

Nil

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to

Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

LGAQ Delegation Register Service.

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

N/a

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

A delegation update service is funded in the current financial year's budget. The LGAQ Delegation Register Service is at no cost to Council as it is available as a part of Council's annual LGAQ subscription. When the transition to the LGAQ Delegation Register Service is complete there will be financial savings thereafter.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

This can be considered when the transition is completed.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?

(Interested Parties Analysis - IS9001:2015)

Local Area Directors and Overseers

Chief Executive Officer

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

Risk	Description of likelihood & consequences
If Council were to not delegate powers	<p>The delegation of Local Government powers plays a vital part of the effective operation of Council.</p> <p>Appropriate delegations are critical to the intent of the new 'operating local model' and Organisational Structure.</p>

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

The advice to Council is to delegate Council powers under the Local Government Act 2009 to the Chief Executive Officer as per the Register attached.

Recommendation:

What is the 'draft decision' based on the advice to Council?

That all powers referred to in the document titled 'Register of Delegations – Council to CEO – Local Government Act 2009' attached to this report, are hereby delegated by Council to the Chief Executive Officer of Council, pursuant to section 257 of the *Local Government Act 2009*.

All prior resolutions delegating the powers under the *Local Government Act 2009* to the Chief Executive Officer are repealed.

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

No

Link to Corporate Plan:

Corporate Plan 2018-2023
Strategic Priority 4: Growing our region
4.1 Elected members

Supporting Documentation:

[1](#) Register of Delegations - Council to CEO - Local Government Act 2009

D21/95661

Report authorised by:
Chief Executive Officer

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to conduct a joint government activity.	Section 10 <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to make submissions to the change commission in response to a request for submissions in relation to a proposed local government change.	Section 19 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to decide the local government's process for making a local law consistent with Chapter 3, Part 1 of the <i>Local Government Act 2009</i> .	Section 29(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to conduct a public benefit assessment of a new significant business activity	Section 46(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to prepare a report on the public benefit assessment in accordance with section 46(5) of the <i>Local Government Act 2009</i> .	Section 46(5) <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to exercise control of all roads in the local government area including the ability to survey and resurvey roads, construct, maintain and improve roads, approve the naming and numbering of private roads, and name and number other roads.	Section 60 <i>Local Government Act 2009</i>		Excluding the power in 60(2)(d) to name roads – the process for naming roads is prescribed by Council's Roads Naming Policy.
	Chief Executive Officer	Power to give the owner of land a notice of intention to acquire land.	Section 61 <i>Local Government Act 2009</i>		Subject to Council having already resolved to commence the acquisition process.
	Chief Executive Officer	Power to lodge the copy of a notice of intention to acquire land with the Registrar of Titles for registration on the instrument of title to the land.	Section 61(6) <i>Local Government Act 2009</i>		Subject to Council having already resolved to commence the acquisition process.

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to decide a claim for compensation for a notice of intention to acquire land.	Section 62 <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to assess compensation for acquisition of land.	Section 64 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to serve notice of decision not to proceed to acquire land the subject of a notice of intention to acquire.	Section 65(3) <i>Local Government Act 2009</i>		Subject to Council having already resolved to discontinue the acquisition process.
	Chief Executive Officer	Power to withdraw notice of intention to acquire land.	Section 65(4) <i>Local Government Act 2009</i>		Subject to Council having already resolved to discontinue the acquisition process.
	Chief Executive Officer	Power to lodge with Registrar of Titles for registration a notice of a decision not to proceed with, or to withdraw, notice of intention of realignment of road or part of road.	Section 65(4) <i>Local Government Act 2009</i>		Subject to Council having already resolved to discontinue the acquisition process.

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to assess and pay the owner of land reasonable compensation for decrease in value of land because of decision not to proceed with realignment of a road or part of a road after giving a notice of intention to acquire land and structural improvements have been made on land that adjoins the road.	Section 66 <i>Local Government Act 2009</i>		Subject to Council resolution.
	Chief Executive Officer	Power to acquire land that adjoins a road for use as a footpath.	Section 67 <i>Local Government Act 2009</i>		Subject to Council resolution.
	Chief Executive Officer	Power to submit objection to application for opening or closing of road in local government area by someone other than the local government.	Section 68 <i>Local Government Act 2009</i>		Subject to Council resolution.
	Chief Executive Officer	Power to close a road (permanently or temporarily) to all traffic, or traffic of a particular class, if there is another road or route reasonably available for use by the traffic.	Section 69(1) <i>Local Government Act 2009</i>		In relation to temporary closure. Excludes the power to close a road permanently.

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to close a road to all traffic, or traffic of a particular class: (a) during a temporary obstruction to traffic; or (b) if it is in the interests of public safety; or (c) if it is necessary or desirable to close the road for a temporary purpose (including a fair, for example).	Section 69(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to publish notice of closing of road.	Section 69(3) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to do everything necessary to stop traffic using the road after it is closed.	Section 69(4) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to permit the use of any part of a road after it is closed to traffic for a temporary purpose subject to appropriate conditions.	Section 69(5) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to make a temporary road through land adjoining the road to be used while the road is being remade or repaired.	Section 70(2) <i>Local Government Act 2009</i>		Only where land proposed to be used as a temporary road is a road reserve or Council owned land.

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to agree with owner or occupier of land regarding local government entry and the giving of written or oral notice as specified in section 70(3) and (4) of the <i>Local Government Act 2009</i> .	Sections 70(3) and (4) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to agree with the owner of land the amount of compensation for physical damage caused by local government entering, occupying or using land under section 70 of the <i>Local Government Act 2009</i> .	Sections 70(7) and (8) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to fix and advise the owner or occupier or change the permanent level of a road under section 71 of the <i>Local Government Act 2009</i> .	Sections 71(1) and (3) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to agree the amount of compensation payable under section 71 of the <i>Local Government Act 2009</i> .	Section 71(4) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, in the circumstances set out in subsection 72(1), to require the entity that is conducting the activity to provide information that will enable the local government to assess the impact of the activity on the road.	Section 72(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, in the circumstances set out in subsection 72(1), to assess impact of the activity on the road.	Section 72(3) <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to give the entity conducting an activity a direction about the use of the road to lessen the impact or to require the entity to carry out works to lessen the impact or to pay an amount as compensation for the impact.	Section 72(3)(a) and (b) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to recover an amount of compensation payable under subsection 72(3)(b)(ii) in a court.	Section 72(5) <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to prepare and keep up to date a map of every road including private roads in the local government area and a register of roads showing the category of every road, the level of every road that has a fixed level and other particulars prescribed under a regulation.	Section 74(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to approve the carrying out of works on a road or interference with a road or its operation subject to conditions.	Section 75 <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to, by written notice, require the owner of a property to connect a stormwater installation for the property to the local government's stormwater drain in the way, under the conditions and within the time stated in the notice.	Section 77 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to give approval for the connection of a stormwater installation to the local government's stormwater drain (including the imposition of conditions) in accordance with section 77 of the <i>Local Government Act 2009</i> .	Section 77 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to give a notice requiring the owner of a property to perform sewerage installation works.	Section 78 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to perform work to fix damage and recover reasonable costs for the work from a person who puts a prohibited substance in the stormwater drain.	Section 79 <i>Local Government Act 2009</i>		
	Not applicable	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>		
	Chief Executive Officer	Power to apply to the Minister for approval to make a major policy decision during the caretaker period for an election for the local government.	Section 90B <i>Local Government Act 2009</i>		Subject to Council resolution.

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to register a charge over land for overdue rates and charges under section 95 of the <i>Local Government Act 2009</i> .	Section 95 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to lodge documents with the Registrar of Titles for release of the charge if overdue rates and charges are paid.	Section 95 <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to regularly review and update the financial policies of Council.	Section 104(6) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to carry out a review of the implementation of the annual operational plan annually.	Section 104(7) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to establish an efficient and effective internal audit function.	Section 105(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, as a large local government, to establish an audit committee.	Section 105(2) <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to maintain public liability insurance and professional indemnity insurance.	Section 107(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to give the public notice of the disbursement of funds not provided for in the local government's budget.	Section 110 <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to give or to attempt to give an occupier of a property a written notice that informs the occupier of the local government's intention to enter the property.	Section 133 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to assess, agree and pay compensation for damage or loss incurred by a person because of the exercise, or purported exercise, of a power under division 1 part 2 chapter 5 of the <i>Local Government Act 2009</i> .	Section 137 <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to give each local government worker an identity card.	Section 138A(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to give a reasonable entry notice, as defined by section 138AA(4), to the occupier of a property that a local government worker may enter the property and take action required under a remedial notice.	Section 142(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to recover as a debt the amount that the local government properly and reasonably incurs in taking the action from the person who failed to take the action.	Section 142(4) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to recover a debt payable under section 142 of the <i>Local Government Act 2009</i> as if the debt were an overdue rate.	Section 142 (7) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to give reasonable entry notice, as defined by section 138AA(4), to the owner and the occupier of rateable land of entry by a local government worker to search for and remove materials.	Section 143 <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to agree and to pay the amount of compensation payable to a person who incurs damage or loss during the course of the exercise, or purported exercise, of a power under division 2, part 2, chapter 5 of the <i>Local Government Act 2009</i> .	Section 147 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to make a complaint to the assessor about the conduct of a councillor.	Section 150O(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to publish Council's investigation policy on Council's website.	Section 150AE(4) <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to investigate the councillor's conduct.	Section 150AF(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power, as an occupier of a place, to sign an acknowledgement of the consent.	Section 150BM(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, as an occupier of a place, to comply with a help requirement.	Section 150BV(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to apply to the assessor for the return of a seized item.	Section 150CE(3) <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to comply with a notice from the investigator requiring information to be provided.	Section 150CH(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to ask the assessor to extend the time for making the application.	Section 150CP(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power, where the runner-up consents to the appointment on or before the deadline for the runner-up, to fill the vacant office by appointing the runner-up.	Section 166A(4)(b) <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power, where the chief executive officer receives any nominations from qualified persons or candidates, to fill the vacant office by appointing 1 of those persons or candidates.	Section 166B(6) <i>Local Government Act 2009</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to agree with other local governments about the joint employment of a local government employee.	Section 198 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into LGIAsuper.	Section 219(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into another fund directed by the employee.	Section 219(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, as a local government other than the Brisbane City Council, to comply with a notice giving by the LGIAsuper Trustee under subsection 219A(1).	Section 219A <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to pay a yearly superannuation contribution in the circumstances prescribed in section 220.	Section 220 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, as a local government, to deduct all or part of the employee's contributions from the employee's salary or any money that the employee owes to Council.	Section 220A(4) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, in the circumstances set out in subsection 220B(1), to agree in writing with an employee:- (a) to reduce the pre-agreement contributions to the amount equal to the employee's concessional contributions cap for the financial year; and (b) if a yearly contribution made under section 220A(3) is part of the pre-agreement contributions – on the extent, if any to which a contribution mentioned in 220B(1)(a) of (b) will be reduced to achieve the reduction.	Section 220B(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, where the pre-agreement contributions are reduced under subsection 220B(2), to pay the amount of the reduction to the employee as salary.	Section 220B(3) <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power, as an employer, to agree in writing with an employee:- (a) that the employee is exempt, on the grounds of the employee's financial hardship, from paying all or a stated part of the contributions payable under section 220A(2) by the employee; and (b) on the period, of not more than 1 year, of the exemption.	Section 221(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, as an employer, to give a copy of the agreement made under subsection 220(2) to the relevant trustee.	Section 221(4) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, as an employer who has received a notice from the employee under subsection 222(2), to calculate the yearly contributions payable for the employee based on the employee's salary before it was decreased.	Section 222(3) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, in the circumstances set out in subsection 224(1), to pay interest on the amount of the contribution to the relevant fund for the employee.	Section 224(2) <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power, as a local government (other than the Brisbane City Council), to, for its councillors:- (a) establish and amend a superannuation scheme; or (b) take part in a superannuation scheme.	Section 226(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power, as a local government who has exercised its power under subsection 226(1), to pay an amount from its operating fund to the superannuation scheme as a contribution for its councillors.	Section 226(2) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to enter into an arrangement with a councillor under which – (a) the councillor agrees to forgo a percentage or amount of the remuneration that the councillor is entitled to as a councillor; and (b) the local government agrees to contribute the percentage or amount to the superannuation scheme for the councillor.	Section 226(4) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to make a submission as a local governing body within the meaning of the Local Government (Financial Assistance) Act to assist the Local Government Grants Commission to make a decision about funding under the Local Government (Financial Assistance) Act.	Section 228(4) <i>Local Government Act 2009</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Act 2009

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to effect substituted service.	Section 239 <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to authorise an employee in any legal proceedings – (a) to give instructions and act as the authorised agent for the local government; and (b) sign all documents for the local government.	Section 240(1) <i>Local Government Act 2009</i>		
	Chief Executive Officer	Power to do anything that is necessary or convenient for performing the responsibilities of the local government under a Local Government Act.	Section 262 <i>Local Government Act 2009</i>		

OFFICER REPORT

Meeting: Special 1 December 2021

Date: 26 November 2021

Item Number: 6.2

File Number: D21/95153

SUBJECT HEADING: Delegations Review - Local Government
Regulation 2012

Classification: Open Access

Officer's Title: (Acting) Director - Corporate Services

Executive Summary:

This report seeks Council's approval for the delegation of Council powers under the *Local Government Regulation 2012* to the position of Chief Executive Officer (using the new template register).

Officer's Recommendation:

That all powers referred to in the document titled 'Register of Delegations – Council to CEO – Local Government Regulation 2012' attached to this report, are hereby delegated by Council to the Chief Executive Officer of Council pursuant to section 257 of the *Local Government Regulation 2012*.

All prior resolutions delegating the powers under *Local Government Regulation 2012* to the Chief Executive Officer are repealed.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Maranoa Regional Council

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

Acronym	Description
Nil	

Context:

Why is the matter coming before Council?

This report seeks Council's approval for the delegation of Council powers under the *Local Government Regulation 2012* to the position of Chief Executive Officer (using the new template register).

The Register of Delegations – Council to CEO attached are as per the template tables, with the exception of some conditions and identification of powers not proposed to be delegated.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

Council is vested with the power to make a range of decision and various actions under legislation and other statutory instruments. Council derives those powers from State law, such as the *Local Government Regulation 2012*.

Section 257 of the *Local Government Act 2009* allows Council, by resolution, to delegate its powers under State and other laws, to the Chief Executive Officer.

The delegation of a Council's power does not involve Council parting with or surrendering those powers. Council continues to retain all powers which are the subject of delegation. A delegation involves the "sharing" of power, so that both Council and the Chief Executive Officer can exercise the same power.

Other important legal principles which apply to the delegation proposal set out in the report are:

- a) Council at all times retains the power to revoke the delegation. Accordingly Council retains ultimate control.
- b) Council, as the delegator, still has responsibility to ensure that the relevant power is properly exercised. Council will therefore continue to supervise and oversee the exercise of its powers.
- c) A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council to impose checks and balances on its delegations. However, as with any vesting power, the delegated power cannot be unduly fettered.
- d) The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.
- e) A local government must not delegate a power that an Act states must be exercised by resolution.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under

consideration? (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

This report has been provided in compliance with section 257 of the *Local Government Act 2009*, which allows for the Local Government, by resolution, to delegate power under the *Local Government Act 2009* and any other act to the Chief Executive Officer.

Local Government Act 2009

257 Delegation of local government powers

(1) A local government may, by resolution, delegate a power under this Act or another Act to -

(a) the mayor; or

(b) the chief executive officer; or

(c) a standing committee, or joint standing committee, of the local government; or

(d) the chairperson of a standing committee, or joint standing committee, of the local government; or

(e) another local government, for the purposes of a joint government activity.

The only employee Council can delegate a local government power to is the Chief Executive Officer.

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

Nil

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to

Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

LGAQ Delegation Register Service.

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

N/a

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$) ? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

A delegation update service is funded in the current financial year's budget. The LGAQ Delegation Register Service is at no cost to Council as it is available as a part of Council's annual LGAQ subscription. When the transition to the LGAQ Delegation Register Service is complete there will be financial savings thereafter.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$) ? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Cost savings will be realised after the transition is complete.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns? (Interested Parties Analysis - IS9001:2015)

Local Area Directors and Overseers
Chief Executive Officer

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

Risk	Description of likelihood & consequences
If Council were to not delegate powers	<p>The delegation of Local Government powers plays a vital part of the effective operation of Council.</p> <p>Appropriate delegations are critical to the intent of the new 'operating local model' and Organisational Structure.</p>

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

The advice to Council is to delegate Council powers under the Local Government Regulation 2012 to the Chief Executive Officer as per the Register attached.

Recommendation:

What is the 'draft decision' based on the advice to Council?

That all powers referred to in the document titled 'Register of Delegations – Council to CEO – Local Government Regulation 2012' attached to this report, are hereby delegated by Council to the Chief Executive Officer of Council, pursuant to section 257 of the *Local Government Regulation 2012*.

All prior resolutions delegating the powers under the Local Government Regulation 2012 to the Chief Executive Officer are repealed.

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

No

Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.1 Elected members

Supporting Documentation:

[1](#) Register of Delegations – Council to CEO – Local
Government Regulation 2012

D21/95668

Report authorised by:

Chief Executive Officer

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to publish the register of local laws on Council's website.	Section 14(4) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to identify and assess each new significant business activity for possible reform involving full cost pricing, commercialising, or corporatising the activity.	Section 18 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to establish a register of business activities to which the competitive neutrality principle applies.	Section 56(1) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power in relation to a mall to do any of the following: (a) anything necessary or desirable for developing, managing, maintaining (including cleaning), promoting or using a mall; (b) permit the use of any part of the mall on conditions it considers appropriate; (c) anything incidental to its powers mentioned in (a) or (b).	Section 58(2) <i>Local Government Regulation 2012</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Not applicable	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>		
	Chief Executive Officer	Power to take all necessary steps for: (a) construction on, maintenance of or improvement of the land; and (b) regulation of the use of the land, where the land is subject to a public thoroughfare easement in Council's favour.	Section 63 <i>Local Government Regulation 2012</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to enter into arrangements necessary to perform the joint responsibility of the local government where a road or other work is to be, or has been, built: (a) along the boundary between two or more local government areas; and (b) partly in each of the areas.	Section 64(3) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to identify, in any way considered appropriate, parcels of rateable land to which a minimum amount of general rates apply.	Section 77(2) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to identify, in any way considered appropriate, the rating category to which each parcel of rateable land in the local government area belongs.	Section 81(4) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to decide what rating category the land referred to in subsection (1) should be in.	Section 82(2) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to ensure that each relevant rate notice is accompanied by, or contains, a rating category statement.	Section 88(2) <i>Local Government Regulation 2012</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to allow a longer period within which an owner of rateable land must give an objection notice.	Section 90(5)(b) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges to the current owners of the land on which the special rates or charges were levied.	Section 96(2) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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.	Section 97(2) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to levy rates or charges by a rate notice.	Sections 104 <i>Local Government Regulation 2012</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to determine a period considered appropriate for the issue of a rate notice.	Section 107(1) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to give a rate notice and, if required, a rating category statement, electronically.	Section 108 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power, where land becomes, or stops being, rateable land, to adjust the rates so that the rates are calculated only on the period when the land was rateable land.	Section 110 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power, if the value of the land changes under the <i>Land Valuation Act</i> , 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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power, if the land is given a rating category, including a change of rating category, to adjust the general rates so that the rates are calculated on the new or changed rating category for the period that starts on the day the land was given the new or changed rating category.	Section 112 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power, if the land becomes, or stops being, land on which the local government may levy special rates or charges, to adjust the rates or charges so that the rates or charges are calculated on 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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to accept an application from a ratepayer made under subsection (1)(a).	Section 122(3) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to be satisfied that a ratepayer is eligible for a concession granted pursuant to a resolution made under subsection (1)(b).	Section 122(4) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power, in the circumstances referred to in subsection (1), to refund the amount of the rebated rates or charges to the ratepayer.	Section 124(2) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to still allow a discount where satisfied that the ratepayer has been prevented, by circumstances beyond their control, from paying the rates or charges in time to get the discount.	Section 130(10) <i>Local Government Regulation 2012</i>		In accordance with Council's Revenue Statement

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Not applicable	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>		
	Chief Executive Officer	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>		In accordance with Council's Revenue Statement
	Chief Executive Officer	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>		In accordance with Council's Revenue Statement
	Chief Executive Officer	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>		In accordance with Council's Revenue Statement
	Chief Executive Officer	Power to recover overdue rates or charges by bringing court proceedings for a debt.	Section 134 <i>Local Government Regulation 2012</i>		Subject to Council resolution.
	Chief Executive Officer	Power to give the State or government entity that has an interest in the land under a State encumbrance a notice of Council's intention to sell the land.	Section 138(3) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power, where Council has by resolution decided to sell the land, to give all interested parties a notice of intention to sell the land.	Section 140(3) <i>Local Government Regulation 2012</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to carry out the procedures to sell land for overdue rates or charges.	Section 142 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		Subject to Council resolution.
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to: <ul style="list-style-type: none"> (a) give a copy of the sales notice to each interested party who was given a notice of intention to sell the land; and (b) publish the sales notice on Council's website; and (c) display the sales notice in a conspicuous place in Council's public office; and (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 (e) take all reasonable steps to publish the sales notice in another way to notify the public about the sale of the land. 	Section 144(5) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to ensure that the price for land offered for sale by negotiation is at least – (a) the market value of the land; or (b) the higher of the following – (i) the amount of the overdue rates or charges on the land; (ii) the value of the land.	Section 144(7) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to carry out the procedures to acquire land for overdue rates or charges.	Section 151 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to keep a land record.	Section 154(1) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to include in a land record any other information considered appropriate.	Section 154(2)(e) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to record the details of the new owner in the land record.	Section 162 <i>Local Government Regulation 2012</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to keep a written record, in the way required by subsection (2), which states the matters identified in subsection (1).	Section 164 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Not delegated	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to publish Council's annual report on Council's website.	Section 182(4) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to give a grant to a community organisation in the public interest and consistent with the local government's community grants policy.	Section 194 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to spend money on advertising to provide information or education that is in the public interest and consistent with the local government's advertising spending policy.	Section 197(2) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to:- 1. establish a trust fund; 2. deposit trust money in a financial institution account; and 3. reconcile the assets of the trust fund with the liabilities of the trust fund at least monthly.	Section 200 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to transfer money to or from a trust fund in accordance with section 201.	Section 201 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to make publicly available an availability notice.	Section 201B(4) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to publish a notice given under subsection 202A(1) on Council's website.	Section 202A(2) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to establish separate accounting records for Council's:- (a) operations; and (b) its trust fund.	Section 203 <i>Local Government Regulation 2012</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to prepare a financial report.	Section 204 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to:- (a) prepare an internal audit plan; (b) carry out an internal audit; (c) prepare a progress report for the internal audit; (d) assess compliance with the internal audit plan; and (e) give the documents referred to in subsection (3) to the audit committee.	Section 207 <i>Local Government Regulation 2012</i>		
	Not delegated	Power to appoint the members of the audit committee.	Section 210(1) <i>Local Government Regulation 2012</i>		
	Not delegated	Power to appoint one of the members of the audit committee as chairperson.	Section 210(3) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Not delegated (Not applicable)	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>		
	Not delegated (Not applicable)	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>		
	Not delegated (Not applicable)	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>		
	Not delegated (Not applicable)	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>		
	Chief Executive Officer	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>		
	Not delegated (Not applicable)	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Not applicable	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>		
	Chief Executive Officer	Power to set the value limit for valuable non-current assets other than land.	Section 224(7)(b) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to invite written quotes for a medium-sized contractual arrangement.	Section 225(1) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to decide to accept a quote or to decide not to accept any of the quotes it receives for a medium-sized contractual arrangement.	Section 225(3) and (4) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to enter a medium-sized contractual arrangement after first inviting written quotes for the contract.	Section 225 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to invite written tenders for a large-size contractual arrangement.	Section 226(1) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to enter a large-sized contractual arrangement after first inviting written tenders for the contract.	Section 226 <i>Local Government Regulation 2012</i>		Subject to Council resolution.

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to invite written tenders for a valuable non-current asset contract or to offer a non-current asset for sale by auction.	Section 227(1) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to invite expressions of interest pursuant to section 228.	Section 228(2)(b) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		Large-sized contractual arrangement subject to Council resolution.
	Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in accordance with a quote or tender consideration plan adopted by local government resolution.	Section 230(1) <i>Local Government Regulation 2012</i>		Large-sized contractual arrangement subject to Council resolution.
	Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement for services with a person on an approved contractor list.	Section 231(2) <i>Local Government Regulation 2012</i>		Large-sized contractual arrangement subject to Council resolution.
	Chief Executive Officer	Power to put together an approved contractor list in accordance with section 231(4).	Section 231(4) <i>Local Government Regulation 2012</i>		Subject to Council resolution.

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to enter into a contract for a medium-sized contractual arrangement or large-sized contractual arrangement for the supply of goods or services with a supplier from a register of pre-qualified suppliers.	Section 232(2) <i>Local Government Regulation 2012</i>		Large-sized contractual arrangement subject to Council resolution.
	Chief Executive Officer	Power to establish a register of pre-qualified suppliers of particular goods or services.	Section 232(3) <i>Local Government Regulation 2012</i>		Subject to Council resolution.
	Chief Executive Officer	Power to invite suppliers to tender to be on a register of pre-qualified suppliers.	Section 232(4) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to take all reasonable steps to publish an invitation to tender in another way to notify the public about establishing the register of pre-qualified suppliers.	Section 232(6) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement for goods or services with a preferred supplier under a preferred supplier arrangement.	Section 233(2) <i>Local Government Regulation 2012</i>		Large-sized contractual arrangement subject to Council resolution.
	Chief Executive Officer	Power to enter a preferred supplier arrangement.	Section 233(2) <i>Local Government Regulation 2012</i>		Subject to Council resolution.

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to invite persons to tender for a preferred supplier arrangement.	Section 233(3) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to enter into a contract for goods and services under an LGA arrangement.	Section 234(1) <i>Local Government Regulation 2012</i>		Large-sized contractual arrangement subject to Council resolution.
	Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in circumstances specified in section 235. <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>	Section 235 <i>Local Government Regulation 2012</i>		Section 235 (a) and 235 (b) for medium-sized contractual arrangement or large-sized contractual arrangement subject to Council resolution.

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to dispose of a valuable non-current asset other than by tender or auction in circumstances specified in section 236. <i>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>		Subject to Council resolution.
	Chief Executive Officer	Power to publish and display relevant details of a contractual arrangement worth \$200,000.00 or more (exclusive of GST).	Section 237 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	Power to pay remuneration to each councillor.	Section 247(1) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		Subject to Council resolution on the days and times when meetings will be held.
	Chief Executive Officer	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>		Subject to Council resolution on the days and times when meetings will be held.
	Chief Executive Officer	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>		Subject to Council resolution
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to make a copy of the confirmed minutes publically available, and available for for purchase at Council's public office in accordance with section 254F(7).	Section 254F(7) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power, as a former employer, to pay the new employer an amount for the number days of long service leave that the person is entitled to take because of the person's period of employment with the former employer.	Sections 287(1) <i>Local Government Regulation 2012</i>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to do all things specified in subsection (4) in relation to Council's complaints management process and administrative action complaints.	Section 306(4) <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		

REGISTER OF DELEGATIONS COUNCIL TO CEO

Local Government Regulation 2012

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	Power to make a reasonable allocation of its administrative and overhead costs to each relevant activity, having regard to all of a local government's relevant activities.	Schedule 4 section 5 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	Power to decide an amount for depreciation of an asset used in conducting a relevant activity that is appropriate in the circumstances.	Schedule 4 section 7 <i>Local Government Regulation 2012</i>		
	Chief Executive Officer	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>		
	Chief Executive Officer	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>		

**REGISTER OF DELEGATIONS
COUNCIL TO CEO***Local Government Regulation 2012*

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Chief Executive Officer	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>		

COUNCILLOR REQUEST FOR AN AGENDA REPORT

Meeting: Special 1 December 2021

Date: 29 November 2021

Item Number: 7.1

File Number: D21/95588

SUBJECT HEADING: Roma Denise Spencer Swimming Pool

Classification: Open Access

Councillor's Title: Cr Tyson Golder

Executive Summary:

I believe Council need to develop a policy in relation to any unacceptable behaviour at the Roma Denise Spencer Swimming Pool.

Councillor's Recommendation:

That Council consider the development of a behaviour policy for the Roma Denise Spencer Swimming Pool.

Details of Requested Agenda Report:

I believe Council need to develop a policy in relation to any unacceptable behaviour at the Roma Denise Spencer Swimming Pool.

The policy to have a staged approach where poorly behaved patrons are excluded from using the facility for a certain number of days and is increased for repeat offenders.

Council should consider as part of the behavioural policy, designated lanes for laps swimmers to be utilised at certain times of the day.

Supporting Documentation:

Nil

COUNCILLOR REQUEST FOR AN AGENDA REPORT

Meeting: Special 1 December 2021

Date: 26 November 2021

Item Number: 7.2

File Number: D21/95165

SUBJECT HEADING: Local Residents of Low Volume Rural Roads to Undertake Own Maintenance

Classification: Open Access

Councillor's Title: Cr Tyson Golder

Executive Summary:

I believe Council should develop a policy for our local rural residents on low volume roads for them to be able to undertake their own maintenance.

Councillor's Recommendation:

That Council develop a structured policy allowing rural residents on low volume roads be able to perform their own maintenance, provided they have the applicable insurances, follow direction of Council officers and Council standard.

Details of Requested Agenda Report:

I believe Council should develop a policy for our local rural residents on low volume roads for them to be able to undertake their own maintenance.

Provided the residents have machinery, correct applicable insurances, follow direction of Council officer and Council standard of work.

Supporting Documentation:

Nil